

OK

**In The Matter Of:**

***DM&E POWDER RIVER BASIN EXPANSION PROJECT  
PUBLIC MEETING***

---

***DRAFT ENVIRONMENTAL IMPACT STATEMENT***

***November 1, 2000***

---

***Beta Reporting***

***910 17th Street, N.W.***

***Suite 200***

***Washington, DC 20006***

***(202) 638-2400 or (800) 522-2382***

*Original File AAPOWDER.TXT, 161 Pages  
Min-U-Script® File ID: 0836150401*

**Word Index included with this Min-U-Script®**

Page 1  
DM&E POWDER RIVER BASIN EXPANSION PROJECT  
DRAFT ENVIRONMENTAL IMPACT STATEMENT  
PUBLIC MEETING  
PROCEEDINGS TRANSCRIBED FROM VIDEOTAPE  
Newcastle, Wyoming  
November 1, 2000

Page 2

[1] **PROCEEDINGS**

[2] (1:00 p.m.)

[3] **STEVE:** to get involved, [4] require DM&E to coordinate with these [5] agencies and come up with ways to address [6] their concerns and mitigate the potential [7] impacts.

[8] One thing that is important to note [9] is that DEIS does indicate that there are a [10] number of impacts that it feels would be [11] difficult to mitigate effectively. As part [12] of the commenting process on the draft we [13] would like your input and your comments on [14] mitigation measures imposed or other measures [15] that you feel based on your knowledge of the [16] area could be beneficial or helpful in [17] reducing the impacts of the project if those [18] exist.

[19] Last then, mitigation measures [20] included discussion on communities and [21] agencies getting together and negotiating [22] agreements with the DM&E as it has been done

Page 3

[1] in past cases before the STB again to assist [2] in coming to some consensus on mitigation [3] measures that would be beneficial to all [4] parties and agreeable to all parties of [5] the project. DEIS also will improvise a [6] mechanism whereby submitted to the STB [7] so they can be considered for potential [8] imposition on the project should it be [9] approved.

[10] So with that I'll turn it back over [11] to Bonnie to finish up our opening remarks [12] and get all of your comments. Thank you.

[13] **BONNIE:** Let me talk a little bit [14] more about the comments. The agencies do [15] welcome your comments in two ways, oral [16] comments at this meeting as we mentioned. We [17] are videotaping and taking notes. They will [18] be transcribed and submitted to the formal [19] record. Then written comments, not to sound [20] but formally submitted in writing and [21] sent by mail.

[22] The agencies will be responding to

Page 4

[1] the comments in the final environmental [2] impact analysis which is also called the EIS. [3] Obviously you have the right to give us [4] comments on anything that you'd like. I can [5] tell you that the ones that will be most [6] productive and constructive for the process [7] will specifically be comments

on the topic [8] Steve mentioned, the environmental issue [9] areas, the Draft Environmental Impact [10] Statement, the document that was prepared. [11] Any comments you may have on the adequacy of [12] that document, on the information that's [13] contained within that document. On the [14] programmatic agreement and the biological [15] assessment. On Section 404 permit [16] applications — those are the ones with Jerry [17] from the Army Corps of Engineers discussed in [18] regards to South Dakota and Wyoming and [19] Minnesota, 404 permit applications. Finally, [20] we'd like to receive your comments on the [21] proposed forest land amendments.

[22] So today we're taking comments

Page 5

[1] first from federal and state elected [2] officials. We do not have — we actually [3] have as Dumont (phonetic) mentioned that [4] today — we'd like to welcome His Honor. We [5] have aides from U.S. Senator Michael Enzi's [6] office. That's Robert Bailey. And an aide [7] from U.S. Representative Barbara Cubin's [8] office. That's Jack King. Then we also have [9] Mike Mills, the mayor here of Newcastle, and [10] Mike will be one of the speakers a little bit [11] on in the agenda. We'd like to any [12] other elected officials that are here that we [13] haven't acknowledged.

[14] I would like to again reiterate the [15] ground rules. What I will be doing is ask [16] you that in order for us to accommodate all [17] the speakers today we'd like to ask that you [18] keep your oral comments to about 3 to 5 [19] minutes. It needs to really be 5 minutes [20] maximum for the list of folks that we have [21] that signed up to speak in order for us to [22] get through the whole list and be sensitive

Page 6

[1] to the ones that are at the end. Please keep [2] the comments to 5 minutes.

[3] If you have anything beyond that, [4] again your written comments will be treated [5] exactly the same as your oral comments. [6] There is no difference. Hopefully in [7] addition to submitting oral comments, you [8] might have copies of those or brought copies [9] of those with you. If you did, we can give [10] them to the panel. That's great. You can [11] submit them in writing as well. That will be [12] great.

[13] So with that I think we'll get [14] started. I'm going to let you know I'll [15] set it exactly for the 5 minutes. I will let [16] you know when you have 1 minute left so that [17] you can summarize up if your comments are [18] lengthier. Again, if you can keep your [19] comments 3 to 5 minutes, that would be great.

[20] Our first speaker is Darnell [21] Donnelly.

[22] **MR. DARNELL:** My name is Donnelly

Page 7

[1] Darnell. Today I will address my comments to [2] the adequacy of your DEIS. My first comment [3] concerns Chapter 1, page 118, 1.3 — which [4] states that was 131 million tons, but [5] only 80 million were shipped because of [6] transportation problems. This statement is [7] directly attributed 41 Volume XLIX, [8] number 5, pages 41 through 46. Nowhere in [9] his reference does he mention these mines by [10] name. Nowhere in this reference does he [11] mention the production of these mines. And [12] nowhere in this reference does he blame the [13] shortfall on transportation problems. It's [14] not there. Right here is the reference if [15] you'd like to look at it.

[16] The next paragraph states that for [17] the past five years coal carriers in the [18] basin have failed to meet guaranteed cycle [19] times. My first question — which five [20] years? Are you talking about '92 through '96 [21] as in this information, or are you [22] talking about some other five years?

Page 8

[1] My second question — what's your [2] source for this information? Who said the [3] carriers in the basin failed to meet [4] guaranteed cycle times?

[5] My third question is why didn't you [6] make explicit reference by footnote to this [7] conclusion?

[8] These are examples of what all [9] through this EIS. But NEPA, 49 U.S.C. 1502(25) deals with footnoting [11] also, footnote 42, the same thing. You cite [12] the pending legal action as proof of service [13] problems to this basin. Number one, I'd like [14] to ask you, has this pending legal action [15] been resolved? Number two, what is the [16] outcome of this legal action? Number three, [17] how does the pending legal action show proof [18] of anything?

[19] In Volume III-B at 4.4-44 you show [20] tax tables that offer an estimate of county [21] property taxes at you do so with no [22] footnote. You do offer later in the EIS an

Page 9

[1] explanation of your methodology. At least [2] it's your idea of an explanation, I guess. [3] It doesn't explain much to me. But NEPA [4] specifies that you will make explicit [5] reference by footnote from scientific and [6] other sources for conclusions in the [7] statement. NEPA also says that no material [8] may be incorporated by reference unless it is [9] reasonably available for inspection by

[10] potentially interested persons within the [11] time allowed for comment. This is [12] at 1502.21.

[13] Where do you expect us to reference [14] this? Why do you not make it available [15] to interested parties as NEPA specifies that [16] you should? At 4.4-31, Volume III-B, you say [17] that groundwater wells used during [18] construction to prevent reductions in [19] yield will be expected to come back during [20] operation. How? When? Why? What's your [21] source? Again, see 1502.24.

[22] In the unlikely event of derailment

Page 10

[1] you say, however, if a visitor did not [2] previously visit an area, he would not know [3] if his view was impaired. All of these are [4] just unsupported conclusions, and they're not [5] appropriate for inclusion in the EIS.

[6] I can find no estimate of habitat [7] loss of prairie dogs in your Draft EIS. My [8] mitigation policy recommends that no [9] habitat for candidate species. Prairie dogs [10] are awarded but precluded. This makes them a [11] candidate species. The preferred alternative [12] numerous colonies, both in Wyoming and [13] South Dakota. Loss of habitat sterilize [14] the you have roads, you have fire [15] breaks, and you will have mortality on [16] prairie dogs due to construction [17] calculated and give them consideration, [18] particularly as they apply to other candidate [19] species and threatened and endangered species [20] including swift foxes, mountain, [21] black-footed ferrets. You invited comment

[22] on —

Page 11

[1] **BONNIE:** One minute.

[2] **MR. DARNELL:** One minute?

[3] **BONNIE:** One minute.

[4] **MR. DARNELL:** You invited comment [5] on WG alternative. I'll comment on [6] that. Number one, you've underestimated the [7] wetlands by a huge factor. Number two, [8] you're still scoping during the EIS. Number [9] three, 1502.14(e) requires that you identify [10] your preferred alternative in the draft.

[11] One other thing I'd really like to [12] comment in my one minute, 1502.10 specifies [13] the format to be used in a draft EIS. It [14] states that the standard format should be [15] used unless there are compelling reasons to [16] do otherwise. Index is listed as item J. [17] What are your compelling reasons for not [18] having an index in a 5,000-page document? [19] Thank you.

[20] **BONNIE:** Thank you. Again, if [21] there is time for a meeting at the end of

the [22] meeting and we need to come back to some of

Page 12

[1] the speakers, that's fine too. But, again, [2] please submit your comments in writing as [3] well. It will be treated exactly the same as [4] the oral.

[5] One other thing. I didn't notice, [6] and the questions clearly were in comment [7] form, but again if folks have questions, if [8] you can just fill out that orange card, [9] procedural questions, and we will take them [10] and take a look at them at the break and see [11] if there are any that we can answer [12] specifically about the process.

[13] With that, let me ask Nancy Darnell [14] to speak next.

[15] **MS. DARNELL:** Good afternoon. I am [16] Nancy Darnell County, Wyoming. To the [17] hearing board I'd like to thank you for [18] holding these hearings so that citizens have [19] an opportunity to comment on the Draft [20] Environmental Impact Statement. I've had my [21] copy of this 13-volume statement for three [22] weeks so my comments aren't preliminary and I

Page 13

[1] reserve the right to add comments throughout [2] the comment period.

[3] This is one of the busiest times of [4] the year for agricultural people with [5] hunting seasons, and shipping livestock. [6] Frequent storms during the three months may [7] also impact people's ability to respond. In [8] addition, the two most important family and [9] cultural holidays, Thanksgiving and [10] Christmas, are included in the comment [11] period. Therefore, I formally request [12] an 180-day extension of the comment period.

[13] The draft is fatally flawed in a [14] number of ways. The air quality information [15] is incomplete. No one can comment on [16] material that's not available. The appendix [17] state that the EIS was used for a basis [18] with updating. Well, it was updated. [19] Existing emissions on page 510 — it says [20] that existing emissions were used for [21] methane facilities. What or number of [22] CEM facilities was used?

Page 14

[1] Appendix E, page 31, states [2] similarly, emissions and other information on [3] potential new CEM developments are not yet [4] available. In this case we could guess on [5] the types of development since we know [6] approximately where they will be located. [7] Guessing should not be a part of the DEIS, [8] and guessing in this case is not necessary as [9] the Wyoming Oil and Gas Conservation [10] Commission is issuing

permits on an average [11] of 800 new wells per month. This is a public [12] record available to all.

[13] Appendix E, page 3, goes on to [14] state that the location of potential Wyoming [15] CEM development would be on the west side of [16] the Powder River Basin far away from [17] areas where we expect to see the highest [18] impacts due to the DM&E railway expansion. [19] Where is the documentation for this [20] assertion? Our inquiries to CEM companies [21] and the PRB indicate that development is [22] occurring all over the basin, but new

Page 15

[1] facilities are being proposed for the [2] southeast corner of the PRB, closest to the [3] class 1 [4] The DEIS says that alternatives B [5] and C have less impact on the air quality [6] than alternative D, but it appears that [7] analysis of both of those have failed to [8] include the emissions of trains traveling the [9] current rail line from Nebraska. There [10] are no plans in the application or in the [11] DEIS to abandon the present railroad so [12] emissions from those trains must be [13] considered in the modeling. In addition, [14] more trains than the current number should be [15] used in the modeling because DM&E says that [16] the major reason for this project is to [17] better serve existing customers. Therefore, [18] it's reasonably foreseeable that traffic on [19] this portion will increase. If the DM&E [20] really intends to better serve those [21] businesses, then those portions of the [22] present system will also have to be upgraded

Page 16

[1] resulting in more impacts to the wetlands and [2] streams of the area because the present line [3] crosses the same tributaries as the [4] Cheyenne — alternatives B and C.

[5] Another deficiency in the DEIS is a [6] lack of discussion with respect to coal dust. [7] In Volume III-B the DEIS says FDA identifies [8] no detailed studies that provide information [9] on the amount of coal dust lost from rail [10] transportation. A quick review of materials [11] on the Internet turned up a couple of sites, [12] and one I have included in the appendix to my [13] comments today. So it wouldn't have taken [14] long to find places that there are comments [15] available.

[16] In addition, I have a bag of coal [17] particles collected from the Burlington [18] Northern Santa Fe rail line Texas, [19] a mere 750 miles from the Basin. There is [20] definitely a change in the environment and [21] coal particles are being strewn out of rail [22] cars for thousands of miles on the way from

Page 17

[1] mine to utility. A picture of the crossing [2] marker and the coal dust is also in the [3] appendix of my comments for you.

[4] Another deficiency in the draft is [5] the lack of study the Mississippi River [6] impacts. In the March 5, 1999 decision [7] setting forth the final scope of the draft, [8] the FTE stated that the impact to the [9] Mississippi River does not meet the [10] reasonably foreseeable standard because there [11] is a "high level of uncertainty about the [12] amount of the coal that DM&E would transload [13] to barge."

[14] **BONNIE:** One minute left.

[15] **MS. DARNELL:** Last night at [16] meeting one of the applicants — or the other [17] night meeting one of the applicant's [18] proponents stated that one of the advantages [19] of this project was being able to barge coal [20] up and down the Mississippi, thus reaching a [21] number of utilities. It would appear that [22] the Edison Electric sees barging as an

Page 18

[1] immediate outcome of this project. A new [2] draft must include a study of the impacts to [3] the Mississippi.

[4] There are a number of errors of [5] fact in the DEIS that in my written comments [6] I have detailed. I think one of the major [7] errors that's in the DEIS is the estimation [8] of the mine track. Another thing there's [9] been much discussion about is the miles of [10] track leading rain falling to the West [11] Coast. There's been a lot of talk in the [12] press about how much shorter this route would [13] be. In my comments I have a chart of those [14] times.

[15] So I'm asking you to vacate this [16] Draft EIS and come out with something that is [17] factual.

[18] **BONNIE:** Thank you.

[19] **MS. DARNELL:** I have with me my [20] comments.

[21] **BONNIE:** Great. You'll be [22] MS. DARNELL:

Page 19

[1] **BONNIE:** Thank you.

[2] **MS. DARNELL:**

[3] **BONNIE:** Lea Stodart?

[4] **MS. STODART:** My name is Lea [5] Stodart and I am opposed to the DM&E [6] expansion project. I would first like to [7] request an additional 180 days minimum for [8] the comment period on the DEIS. There is no [9] way to get through this in the time we have [10] allotted. Not to mention the 404 permit [11] application that is even more difficult to [12] comment on since the deadline on that

32 [13] pounds of information is November 29th, much [14] earlier than the deadline on this 32 pounds [15] of the DEIS. I also request that the 404 [16] should be extended and also be more readily [17] available to the public. The nearest [18] complete copy is 100 miles from me. I can't [19] go read it in an hour. Everyone on the [20] interested parties' list should have received [21] the 404 permit application.

[22] After to starting to read the

Page 20

[1] information in the DEIS I wonder if there was [2] any common sense used in preparing it. There [3] is no rhyme nor reason when reading it. The [4] table of contents is incomplete. There is no [5] index. The glossary is lacking in many words [6] needing definition. And try to find a name [7] in the interested parties. You didn't even [8] alphabetize them.

[9] The drafts are illegible and [10] difficult to find afterwards when we try to [11] refer back to them. And I would like to see [12] you try to find a specific place on the maps. [13] They are ludicrous as the first maps brought [14] to us by DM&E at the first meeting. They [15] haven't even labeled the highlands correctly. [16] The Corps maps are much more readable. Yet [17] they are only for alternative C and are not [18] easily available.

[19] To comment more specifically, in [20] Volume VI, page A61, footnote 41 which was [21] something I states DM&E supports its [22] assumptions by stating that it expects the

Page 21

[1] growth rates for electricity generated by [2] coal-fired plants in the core market areas to [3] be percent per year requiring capacity [4] utilization factors to exceed 75 percent by [5] the year 2010. DM&E cannot be a substantial [6] source, an authority, especially in regards [7] to assumptions and assertions. Particularly [8] where in Volume I, Chapter 1, table 1-5, it [9] says the growth rate will only be 1.1 [10] percent? Which percentage do you expect to [11] stand behind?

[12] In Volume III-A, table 4.1-7, [13] county wetlands acreage for South Dakota, the [14] total wetlands acreage is at 179.4 [15] acres. After making several phone calls, all [16] long distance by the way, I found in Volume [17] I, the general project, part 6, page 2, [18] table 1, summary of the wetlands impacts in [19] the 404 permit application by the United [20] States Army Corps of Engineers it states [21] affected wetlands in eastern South Dakota are [22] going to be 319 acres, western South

Page 22

[1] Dakota 211 acres, a total of 530 acres, a [2] difference is 350.6 acres in the two

DEISs. [3] I would say that is a major discrepancy.

[4] In Volume I, page 118 I happen [5] to have it. I know it is the correct [6] reference because it's also used for another [7] footnote in the DEIS, and that footnote [8] matches the what it's talking about. I [9] can't say that the DEIS can be that good if [10] it's misleading. In fact, you could almost [11] call it fraudulent I'm not sure if the [12] Surface Transportation Board thinks that we [13] are too stupid to see how inaccurate this [14] DEIS is, but I think you as a branch of the [15] federal government should be ashamed [16] have you forgotten that you also work for us [17] too, not just for DM&E Railroad? The [18] financial inadequacies of the DM&E Railroad [19] should not be very relevant.

[20] In the DEIS page 1, Volume I, it [21] states in there that they expect another \$110 [22] million will make them viable after they've

Page 23

[1] already put \$10 million in. Why do we need [2] to know that? That's not an environmental [3] impact statement.

[4] I think the DEIS should be thrown [5] out and completely redone, and I also reserve [6] the right to submit further comments as I [7] read further into this debacle.

[8] **BONNIE:** Thank you. I think your [9] son Cole Stodart (?) is next.

[10] **MR. STODART:** My name is Cole, and [11] I am opposed to the DM&E expansion project. [12] I live on a ranch and I am within the fifth [13] generation to be raised there and make this [14] my way of life. I have trouble understanding [15] the DEIS since there are so many places that [16] are not organized for me to see the charts [17] and drafts — what they are trying to [18] explain.

[19] Then I have trouble understanding [20] the charts because they blend into each other [21] because it states that no businesses [22] are affected when all of those

Page 24

[1] ranches — since when is ranching not a [2] business? All ranches have to file income [3] taxes. All range of tax. All kinds of [4] costs, labor costs, trucking costs costs [5] and other costs the railroad [6] any of this it will I would like to [7] see the DEIS get 180-day comment period. [8] I also reserve the right to make further [9] comments on the DEIS.

[10] **BONNIE:** Thanks, Cole [11] **SPEAKER:** My name is I lived [12] in South Dakota and Wyoming all my life and I [13] like it here. I would hate to see the [14] railroad for a number of reasons. We [15] have only so much land in the world and [16] should it all railroads? I think not. [17] I know that

economic growth I don't [18] understand how we cannot address and we [19] don't need another railroad to haul it. We [20] need to fix there are so many birds and [21] animals that are endangered country and [22] I don't understand how we can address that.

Page 25

[1] Also from reading the DEIS there is lots of [2] information that costs DM&E [3] don't they have — pay for new lines they [4] build when they new I would [5] also like to ask for 180-day minimum [6] extension on the comment period I [7] reserve the right to make further comments.

[8] **BONNIE:** Thank you very much. [9] Thank you all for honoring the time [10] agreements as well. Carolyn Johnson is next.

[11] **MS. JOHNSON:** My comments are going [12] to be rather general to start with because I [13] have not even begun to get into these. They [14] are so hard to understand that I'll also [15] right up front also request 180-day extension [16] because it's just unreal the amount of time [17] you would have to spend to even begin to [18] comprehend these.

[19] On this one which is Volume III-B [20] it says because paleontological resources are [21] not protected on private lands. Excuse me. [22] That's what we are trying to do by objecting

Page 26

[1] to this railroad? Most of us do protect our [2] paleontological resources. They are precious [3] to us, and I resent that statement. That is [4] not accurate. That was page 4.4-9, the first [5] paragraph.

[6] On page 4.4-11 it says the primary [7] impact to would be the direct loss of [8] forage area through its conversion to [9] railroad right of way during construction. [10] May I ask is that your understanding? That [11] is so inaccurate. That is so untrue. If it [12] were just the number of acres that wouldn't [13] even be — it would be an inconvenience. But [14] it's not the direct loss of forage area. [15] That just boggles my mind that anybody out [16] there thinks that.

[17] In the opening presentation I heard [18] something to the effect that the DM&E is [19] supposed to coordinate with all you agencies. [20] Well, I happen to know at least one agency is [21] bending over backwards to cooperate with DM&E [22] and I resent that too. The agencies involved

Page 27

[1] ought to be absolutely nonbiased and they [2] should not have higher-up orders. By the [3] way, where did the higher-up orders come from [4] that our local

offices and our district area [5] offices have to suddenly do an about-face [6] from what they first said when we first [7] talked to them, and now they're all — I'm [8] not saying all of you agencies, but the ones [9] of you that are out there know who you are [10] that are doing an about-face.

[11] As I understand it the written [12] comments that we all went to great lengths of [13] time during the scoping process have not even [14] been read, a lot of them haven't. Why? That [15] was really important input, wasn't it, if [16] they haven't even been read. What about [17] financially fit? We never see that anywhere. [18] We still don't know, are they financially fit [19] or not. That seems to be touted as a [20] priority.

[21] What little bit I've been able to [22] get into some of these things, one reason

Page 28

[1] because I'm busy, another reason my husband [2] takes his few minutes here or there in his [3] business day trying to digest some of them. [4] But what little I've gotten into them seems [5] to be opinions and conclusions and [6] assumptions on the basis of what is written [7] by the Surface Transportation Board or [8] whoever wrote this. I really still haven't [9] gotten an answer. I understand there's [10] cooperating agencies.

[11] But anyway, whoever wrote it, it's [12] assumptions on their part along with [13] assumptions given to them by DM&E. Now, that [14] doesn't sound very unbiased to me. I think [15] you ought to give us something we can read [16] and understand and comment on. That's fine.

[17] **BONNIE:** Carolyn, can I just [18] confirm Vern isn't here?

[19] **MS. JOHNSON:** He is.

[20] **BONNIE:** He is? I'm sorry, I had [21] Vern, you're next. Do you also go by [22] J.R.?

Page 29

[1] **MR. JOHNSON:** Pardon?

[2] **BONNIE:**

[3] **MR. JOHNSON:** I'm Vern [4] Johnson. I own a ranch. Carolyn is my wife. [5] I ranch on the Chad River (?) I have [6] some concerns about the EIS and I want to [7] address them.

[8] Why I'm concerned is that I notice [9] in the executive summary was dropped [10] from the summary, and that summary is one of [11] the documents that most people are going to [12] have time to read. All the other documents, [13] there are just too many, and I think that [14] should be in there because you did go on and [15] use it in the rest of the volumes. It's in [16] the DEIS which I appreciate.

[17] Another concern I have about that [18] same subject is on page 38 of the executive [19] summary it says fails to meet the [20] applicant's purpose and need. I think that's [21] a little bit one-sided some other needs [22] and purpose — ranchers and communities. So

Page 30

[1] again I think that needs to be in there.

[2] Another thing I have to take issue [3] with is scare tactics used throughout the [4] DEIS by DM&E where they say if they don't get [5] a new system, they can't upgrade their system [6] they'll fail to be a viable transportation [7] system and which probably puts a scare to the [8] ranchers in South Dakota and farmers, and [9] that's throughout the document to see these [10] things crop up. Another one is that not [11] granting this period that their safety record [12] will go down, and they already have a [13] terrible safety record. To me that's a real [14] poor reason to rebuild a railroad because of [15] your safety record [16] Take a little exception to the [17] favoritism displayed by the Surface [18] Transportation Board. Although I know that [19] this is mandated by Congress and it says in [20] here that part of your mandate was that the [21] STB is mandated by Congress to give a [22] proposed rail construction the benefit of the

Page 31

[1] doubt. I know that's what you're supposed to [2] do, but it does crop up quite a bit in here.

[3] Another thing I see in here is that [4] a lot of the data is from DM&E — a lot of [5] the information that doesn't seem to be [6] independently acquired. Another thing [7] was put in here, and this is in the last [8] paragraph of page 2-6, Volume I, it said [9] engineers consulted landowners to identify a [10] line of locations that would avoid or [11] minimize impacts such as crossing or dividing [12] lands or causing impact to ranches. That was [13] supposedly done prior to February of '98. I [14] don't think any of us has seen those people [15] out there, and if they did come out there, [16] some of them were out there illegally. We [17] had incidents of people being out in the area [18] without any permission. I suppose that's [19] going to be talked about here today.

[20] Another thing I take exception to [21] is on page 73 of the executive summary, [22] paragraph ES 10.5, negotiated agreements. It

Page 32

[1] says the STB has encouraged DM&E to negotiate [2] mutually acceptable agreements of affected [3] communities and other government entities to [4]

address the potential environmental impacts [5] including ways to share the costs associated [6] with the project.

[7] **BONNIE:** One minute left.

[8] **MR. JOHNSON:** That was a mouthful, [9] but I don't think anyone, any entity or any [10] county should have to share in this. I think [11] this is their project, and I just find it not [12] within the taxpayer's best interests to have [13] to share these costs. And you can bet the [14] DM&E will want to do that, cost-share with [15] the counties and possibly get away with it.

[16] There's a couple tables I take [17] issue with, and that's table 4.4-41, Volume [18] III-B, it's got 1994 for the date in there, [19] and that's that's 6 years old. Another [20] table, 4.4-44, Volume III-B, it's got 1997 [21] property tax. I'll just in closing say that [22] I'm for option A — alternative A or

Page 33

[1] alternative D — if alternative A — because [2] I think now is the time to [3] environmentally friendly and there's a lot of [4] water that runs through that and I think it's [5] time to look into that option and not build [6] the railroad. Thank you very much.

[7] **BONNIE:** Thanks. Make sure the [8] additional comments to a specific table to [9] make sure we get that in writing.

[10] Next is Glenn Hanson. Glenn, you [11] can go to that microphone right there.

[12] **MR. HANSON:** I'm Glenn Hanson. I [13] sure didn't read all them 2,200 pages, but I [14] did read quite a little bit of it. I will [15] agree with a lot of these other people that [16] it's inadequate and inaccurate.

[17] There's something that I'd like to [18] explain to you people up there that you [19] probably don't realize. Newcastle is [20] the closest town, our closest doctors, our [21] closest fire departments. There are quite a [22] bunch of us here that will be on the other

Page 34

[1] side of that railroad track if it's built. [2] I've been in the country a long time, but [3] there's been a few times in my wife, myself, [4] or my family that we have to get to a doctor [5] quick. Another 5 or 10 minutes might have [6] been too late.

[7] We're 42 miles from town. Some of [8] these people right here, in fact they're 50 [9] miles from town and I think they'll be on the [10] other side of the railroad track and there's [11] other people too the same way. So I just [12] wanted you people to understand that.

[13] I am concerned like everybody else [14] about acres. Like I said, the closest [15] fire department's in Newcastle, and we're one [16] of the few areas where

most all this railroad [17] one of the few areas where we actually [18] have clean air and very little noise, and we [19] sure do hate to see that disturbed. I've [20] been around — well, I'll just say this. I [21] remember back at one time when I never heard [22] of prairie fires. There wasn't enough grass

Page 35

[1] in that country to burn. I'll guarantee you [2] that we have much more grass on the ground in [3] this whole area where this railroad will run [4] across than we had 75 years ago.

[5] You're thinking maybe I'm 83 [6] years old and I've been here all my life. [7] I'm just worried about the whole situation [8] and noxious weeds that come in. The [9] railroads are famous for that. I guess [10] that's all I need to say.

[11] **BONNIE:** Thank you. Our next [12] speaker is Mayor Mike Mills.

[13] **MR. MILLS:** Thank you. For the [14] record, my name is Mike Mills. I'm the mayor [15] of Newcastle, Wyoming. I want to thank all [16] of you for the opportunity to speak. The [17] Newcastle community recognizes the time and [18] complexity of this issue and the time that [19] you have spent. Also the cooperating [20] agencies, the time that you have spent.

[21] It's been three years. A lot of [22] water under the bridge. I stand here

Page 36

[1] speaking on behalf of the majority of the [2] Newcastle community in favor of the expansion [3] project. We see some of the benefits as [4] follows. Creating new immediate jobs and [5] long-term permanent employment to help [6] replace jobs lost with the recent [7] closure.

[8] The completed project will increase [9] the taxable valuation of Weston County [10] taxes will be paid. This in turn will help [11] taxes for property owners low, continue [12] ongoing funding needs of government services. [13] Local business and service industries will be [14] strengthened and become more stable and will [15] grow.

[16] Real estate markets will strengthen [17] and stabilize. The project will bring an [18] increase in population. The Newcastle [19] community supports the growth manifested in [20] the survey done in April of 2000 by the [21] Chamber of Commerce. One of the challenges [22] small communities face is sustaining and

Page 37

[1] creating new business. This project will [2] help that process by increasing the need for [3] goods and services; taxes paid to stabilize [4] funding for continued operation of public [5] schools, hospitals,

fire departments, law [6] enforcement, road creation and maintenance, [7] and other necessary government services.

[8] The DM&E project when complete will [9] make the delivery of coal and coal companies [10] more efficient and help reduce coal train [11] congestion.

[12] In closing, I'd like to repeat that [13] I believe the majority of the Newcastle [14] public supports the project, and we are also [15] aware that DM&E has offered landowners and [16] communities on the proposed lines the [17] opportunity to work together to help mitigate [18] the potential impacts of the project.

[19] Thank you, and appreciate your [20] time.

[21] **BONNIE:** Thank you, mayor. Our [22] next speaker is Jean Harshbarger.

Page 38

[1] **MS. HARSHBARGER:** People are [2] addressing a lot of my concerns already. [3] However, for one thing, Mr. Mills, he says [4] that the community of Newcastle supports [5] this. I'm sure they do. However, if they do [6] support the whole plan, they should support [7] alternative D which brings the railroad [8] through Newcastle instead of 31 miles out in [9] the country where nobody can get the benefit [10] of it except for the fires.

[11] On speaking of the fires, it says [12] there will be an improved fire-suppression [13] plan or something like this in place. Where [14] can we see this fire-suppression plan? Where [15] can we get a copy of it to see what they [16] have? I know where there are other fires on [17] railroads, the railroads do nothing to fight [18] fires. They do nothing to pay for the people [19] who do fight the fires, and they do nothing [20] to pay for the damage they do if they can get [21] away with it, which they do a great many [22] times I guess.

Page 39

[1] Another thing is the safety. As [2] Mr. Hanson was saying, a lot of us will be on [3] the other side of this railroad. Are they [4] proposing to put in separated grade [5] crossings? I feel they should at least put [6] in separated crossings on the county roads. [7] And this is a very nifty thing, they could [8] put in cross arms with reflectors on the back [9] side so you can see them from either [10] direction. That doesn't sound like much of a [11] safety feature to me. But separated [12] crossings would not be quite so bad. They [13] would have to be large enough so that people [14] can haul large equipment through and things [15] like that. Another thing, and this doesn't [16] impact Wyoming, but it has been very me [17] in reading through this where they have [18] proposed bypasses that I think the first [19] in



Rochester. They want communities to help [20] pay for these bypasses. This is a silly [21] idea. The communities don't want the trains [22] in the first place. They should not have to

Page 40

[1] put their valuable money into a bypass for an [2] enterprise that it intends to try and get [3] through here and make a bunch of money. If [4] they're going to make all this money, they'd [5] better pay for their enterprise. We should [6] not have to worry about communities having to [7] pay part of the cost of this. I find it very [8] suspect that so many places through this [9] Draft EIS — this has been mentioned, but it [10] says, "the DM&E says," or "we assume," or "it [11] is asserted that," — these are not facts. [12] These are just somebody's explanation to make [13] something that looks good. Especially when [14] these things come from the DM&E straight from [15] them, I do not see how we can consider them [16] factual information. This should be nothing [17] but factual information, and that is not the [18] way it is.

[19] I guess that's enough. I know. [20] One other thing. With the errors in mileage [21] when they said that there was too many more [22] miles to go — alternative D. They're

Page 41

[1] assuming something there that may not be [2] true. In Wyoming to go on alternative D as [3] opposed to alternative C, the difference in [4] miles in Wyoming is very minute, and it would [5] alleviate a lot of our problems. We would [6] not be fighting this thing if they would stay [7] on that are already there and go through [8] the towns that want them and put the jobs in [9] the tax base where these people want them. [10] We don't want our lives disrupted by a [11] railroad. I think on these grade crossings, [12] any place where there's school children or [13] mail carriers that have to go across them, [14] that at the very least should preclude grade [15] crossings. Thank you.

[16] **BONNIE:** Thank you. Next is Clara [17] Wilson.

[18] **MS. WILSON:** My name is Clara [19] Wilson. I live 30 miles south of Newcastle [20] along the Chad River on Ranch Lake Road (?) [21] on a ranch my grandparents bought me in 1980. [22] The DEIS arrived about 3 weeks ago at a very

Page 42

[1] busy time for ranchers so I haven't read a [2] whole lot. I intend to make further comments [3] later after I've had time to read more.

[4] The proposed railroad would cross [5] land that belongs to my brother that we have [6] leased for about 35 years. This is a

great [7] concern. There's another concern. The route [8] we go up, Bobcat Creek, a tributary of the [9] Chad River that we have adjudicated water [10] rights, and they are dated 1905 and 1943. [11] Flood water from this watershed area is used [12] to irrigate about 80 acres of hay land on [13] state land. Even though there was a drought [14] here in our area, there was enough runoff to [15] irrigate this field earlier this year.

[16] The DEIS is outdated. The [17] information, a lot of it is at least two [18] years old, and some of it a lot older than [19] that. The Chad River in Medford County (?) [20] and Weston County both have a severe weed [21] problem, enough so to justify the of the [22] Chad River property resource management plan

Page 43

[1] in the fall of 1999. The CRRM is working [2] very hard in conjunction with various state [3] and county officials to solve the spread of [4] noxious weeds. A railroad will only [5] intensify the problem. Until about two years [6] ago the Chad River was listed as an impaired [7] stream. With the help of nine or ten natural [8] resource people and cooperation of the [9] landowners it has been removed from this [10] list. We are now concerned with coal dust, [11] diesel smoke, or silt, diesel, or other toxic [12] waste falling or running into the river and [13] again creating a problem.

[14] An archeological survey was never [15] done on our land. Both my brother and I have [16] told representatives of DM&E including their [17] archeological surveyors they were to [18] contact me in regards to this property. In [19] early July of 1999, I received a map. I'll [20] show you this map. They requested permission [21] to do an archeological survey (?) of the [22] University of South Dakota. That had two

Page 44

[1] routes on it, and it was a very primitive [2] map. I told her that the map was [3] unsatisfactory because invading the [4] watershed on the creek where we have water [5] rights. We wanted to see a map that showed [6] the width of the right-of-way where the [7] would be made and where would come from [8] and how much it would impair this watershed [9] area. We also asked that the surveyors [10] identify themselves and show proof of [11] insurance. In a few days Ms. Hodging's [12] co-worker sent the very same map, but it [13] had one route highlighted. Again I told Ms. [14] Hodging what I needed to see in a map. The [15] next time, they sent an enlargement of the [16] first one, and that's all the maps I've [17] received.

[18] Then I got a phone call from [19]

another co-worker [20] **BONNIE:** One minute.

[21] **MS. WILSON:** He told me to come to [22] a room at the Fountain Inn in Newcastle and I

Page 45

[1] could look at a map, but I cannot have one [2] because it was copyrighted. He later called [3] back and told my husband I should call [4] Mr. Thornhill. I tried to do this. I was [5] told Mr. Thornhill was in Rapid City for a [6] meeting. The Rapid City Journal stated that [7] he and were there attempting to promote [8] the DM&E project to the Indians. Then [9] Ms. Hodging sent me a letter on July 7th [10] threatening, "if you do not want your land [11] surveyed we will skip it and it will not be [12] included in the environmental impact [13] statement." This threat has been carried [14] out. There's very little information on any [15] route South Dakota.

[16] **BONNIE:** Thank you. If you can [17] please submit that in writing that would be [18] great. Jerry Phelps has joined us hasn't he? [19] Jim Darlington? She's talking about you. [20] Jerry Phelps. Dilts. Dilts. You decided to [21] speak, Jerry? sorry about that.

[22] **MR. DILTS:** My name is Jerry Dilts,

Page 46

[1] D-i-l-t-s, and I live south of West Wyoming [2] on Animal Creek (?). Some years ago the [3] folks at Northern Railroad built a railroad [4] into Lenthorn Junction (?) to haul coal from [5] the mines in the Powder River Basin. The [6] folks from Northern came to Lenthorn [7] about changing the routes of the railroad to [8] accommodate landowners and to [9] mitigate the damages. The DM&E Railroad has [10] come. The DM&E Railroad wants to put a [11] track near Animal Creek cattle pasture. [12] This makes a huge impact on my [13] operation. I was a member of the landowner's [14] advisory board to the DM&E Railroad. [15] This board was organized so that the railroad [16] could better negotiate with the landowner.

[17] Through this board I tried to [18] convince DM&E Railroad to relocate either [19] north or south of the proposed route. I have [20] explained to DM&E Railroad that the [21] existing. I feel this is unnecessary [22] for the DM&E Railroad to build an additional

Page 47

[1] railroad to export coal when the existing [2] rails and tracks are already in place. By [3] allowing this railroad and its to be [4] built, the management of wildlife and [5] grasslands will be greatly affected.

[6] I support Alternative A in the [7]

proposed Draft EIS. Thank you.

[8] **BONNIE:** Okay, thank you. Can we [9] have Jim Darlington?

[10] **MR. DARLINGTON:** Okay. Sounds like [11] it's on now. I'd like to thank you folks for [12] giving me the opportunity to comment on this [13] proposal. I had several questions and [14] concerns on this matter, but I noticed in one [15] of the overheads there at the first there [16] were three items there that happen to fit [17] with three of the questions I had. Where one [18] overhead said the Surface Transportation [19] Board considers transportation aspects, [20] number one, being the financial fitness of [21] the applicant. And I would like to ask if [22] DM&E is any further along with their funding

Page 48

[1] for this project than they were in June [2] of 1997 when Mr. Shieffer told us it was [3] right — coming right around the corner.

[4] Number two, on was the public [5] need for this proposal. Much of the EIS [6] seems to be built around a predetermined [7] conclusion. For example, in Volume I, [8] page 2-54, it is stated that: [9] Nonconstruction alternatives were not [10] discussed because they "would not advance the [11] applicant's goals." This EIS is supposed to [12] be a discussion of the environmental impacts, [13] I believe, and the public need, I believe, is [14] the continued generation of electricity, not [15] necessarily the hauling of coal.

[16] Your third item you asked was the [17] impact on other rail services. Okay, that [18] relates to one of my questions. Do the coal [19] mines that are to be serviced by this [20] proposal have plans to construct additional [21] and separate access for DM&E? The [22] present bottlenecks from just driving around

Page 49

[1] the highway and watching trains stacked up [2] behind each other seems to be at the mines [3] themselves. So I, again, would ask how this [4] problem can be solved? It looks like it's [5] going to be exacerbated with one more [6] transporter waiting in line.

[7] You know, I would like to know what [8] the recyclable commodities are that may be [9] hauled on this proposed track. On Volume VI, [10] page C-75, this is mentioned briefly. DM&E [11] mentioned that in their original submission I [12] believe, but I have never heard of what these [13] recyclable commodities are. In France, they [14] recycle nuclear waste, so I would like an [15] explanation on that.

[16] Now as mentioned before, there [17] are many charts and graphs in the EIS

that [18] made absolutely no sense or are [19] indecipherable because everything is the same [20] shade of black and you can't differentiate [21] anything. There is a very misleading [22] statement about what national are in

Page 50

[1] effect. And listed on page 4.2-25, Volume [2] III-A: Much is only 40-acre tracts that are [3] inaccessible. Well, in looking at a map that [4] I had on your national grassland, this [5] goes through one 40-acre isolated tract. It [6] goes through several large accessible tracts, [7] one of the very first ones being a proposed [8] special interest area. So I think that needs [9] to be corrected.

[10] Okay, let's see, achievement of [11] the 1 percent grade I believe will be very [12] difficult through much of the chosen route. [13] Volume 1, figures 2-15 and 16 show profiles [14] on the rejected Alternative D. Why are not [15] these same type of profiles available for [16] Alternative B and C? That would make it much [17] easier for people working on mitigation on [18] this project, which I was involved in being [19] ranch manager Association on part of the [20] Thunder Basin national grassland. I was told [21] this information wasn't available, so we just [22] had to guess. They used an average for the

Page 51

[1] whole thing. And — but in looking at some [2] of the — in one minute — engineering work, [3] a 100-foot cut would result in [4] an 80 — 848-foot ; a 100-foot fill would [5] result in a 648-foot . The in [6] Alternative B flood plain at the [7] convergence of and Spring Creek (?). [8] That is completely government water on a [9] not-so-rare basis. I mean, the engineers [10] might like a challenge, but this can't even [11] be seriously considered. An extension would [12] be beneficial would be nice, but this [13] should only take place after the proper [14] revising of this Draft Environmental Impact [15] Statement that had been created. Thank you.

[16] **BONNIE:** Thank you. Next we have [17] Richard Rabern.

[18] **MR. RABERN:** I'm Richard Rabern [19] from the Western Canyon Pass (?). I [20] haven't had an opportunity to read the EIS, [21] but at this time I would like to ask for at [22] least 180 days. We have asked, through

Page 52

[1] the Wheaton Pass Council, several times for [2] the Wheaton management program which we have [3] not received. One thing that I would like [4] you people to request is sort of reseeded, [5] re-vegetating certified seeds, certified . [6]

Where is the ballast for the tracks coming [7] from? Are they coming from the certified [8] pits? The gravel for the roads, are they [9] coming from certified pits? These are [10] basically my comments on mostly questions we [11] have asked and never got the answers to.

[12] The big concern at this point is [13] the proposed track running through the Black [14] Hill prairie dogs are threatened, but [15] which is also an environment for [16] burrowing owls, black footed ferrets, the [17] mountain are a big concern. We are [18] looking at the environment. We got .

[19] **BONNIE:** Thank you. Our next [20] speaker is — is Corby Myer here? Okay. [21] Anne and Kenneth Cassens? Anne? Anne, is [22] Kenneth here as well?

Page 53

[1] **MS. CASSENS:** All right. [2] members of the STB and cooperating agencies, [3] thank you for allowing me to comment on the [4] Draft EIS regarding the new DM&E line. My [5] name's Annie Cassens and my husband and I are [6] landowners. We own approximately 3,300 acres [7] in Far River County in South Dakota along [8] Creek. Prior to 1995, we were primarily [9] beef cattle ranchers, but because of the poor [10] agriculture/economic trends of the past few [11] years, we have broadened our scope of [12] business to include several other [13] enterprises, including grass seed harvesting, [14] renting outfit gear for a hunting service, [15] and a bed-and-breakfast that's located on the [16] ranch. The new DM&E approximately [17] one-half mile of land to be leased, as well [18] as two full miles of our beef land and will [19] take about . We had been cooperating [20] with the DM&E planning process late in 1997 [21] when we were identified as landowners [22] and we presently have a landowner

Page 54

[1] compensation and mitigation of \$3 million in [2] place.

[3] Our ranch is unique in that we [4] have 2,000 acres which is fenced for [5] alternative livestock. Fence that is 8-foot [6] high would require — it's very expensive to [7] build and approximately 8 miles of — 800 [8] miles of fencing, that type of fencing. We [9] will be enclosing another 1,000-acre parcel [10] as soon as we know the right-of-way going [11] forth with the new railroad. The proposed [12] DM&E line will go through a corner of the [13] presently enclosed area and will bisect the [14] new area we will — we plan to enclose. We [15] will also have no water source on the land; [16] it will be cut off by the rail line.

[17] The DM&E representatives from the [18] very beginning have been fair, polite, and [19] professional to us. They have



considered our [20] input and our special circumstances, and have [21] incorporated our suggestions into the [22] mitigation agreement considering our need for

Page 55

[1] an underpass that would be big enough for elk [2] and a casement for a water line and special [3] fencing requirements. They continue to allow [4] us to have input into the design and planning [5] of the line. Yes, their engineers did come [6] with our permission and did move the line [7] away from Plum Creek (?), which was one of [8] our concerns. And the archaeologists who [9] have had a contract for the study also did a [10] survey on the land.

[11] I wish to comment briefly on the [12] four points. First, I'd like to comment on [13] the economic impact the DM&E might have. We [14] believe that many people say they want [15] development and when it's offered, they don't [16] want this development. They are concerned [17] about losing population, decreasing class [18] sizes in the schools and losing businesses in [19] our towns, yet they're against every form of [20] development they're offered. We believe this [21] railroad can be a good neighbor if it [22] continues to be developed responsibly. We

Page 56

[1] believe it could help small communities by [2] creating jobs, increasing the tight space, [3] and bolstering the population for our area.

[4] From a global economic viewpoint, [5] it makes sense to build an efficient route to [6] take low sulphur coal to the eastern markets, [7] which currently rely heavily on the [8] types of coal which are much more detrimental [9] to the environment. It also makes sense to [10] provide a route to maintain Midwest corn and [11] other grains to economic. I support any [12] project that can make us less dependent on [13] foreign energy resources.

[14] Agriculture is a failing business [15] for many people involved. We would not have [16] survived in this business if we had not [17] diversified. Western South Dakota is not [18] prime agriculture land. Away from the lure [19] of the Black Hills, small towns along the [20] current DM&E line are struggling to get the [21] new prices and if revitalization of the old [22] DM&E line is not approved these small towns

Page 57

[1] with their don't have a chance.

[2] Another economic opportunity [3] is tourism through possible passenger train [4] service. Tourism brings \$1.23 billion into [5] South Dakota.

[6] Finally, there's the issue of [7] so-called noise pollution. Our house is [8] currently 4 miles from B&S (?), the train [9]. A new line will one of them [10] to the house. We're not worried. If you can [11] control the volume of your son's boombox, [12]. I believe change is here to stay. If [13] it isn't the DM&E interrupting our life, it [14] will be someone else. I hope we can learn to [15] roll with the changes and not waste energy [16] fighting change. Thank you very much.

[17] **BONNIE:** Thank you. Is V.L. [18] Childers in? Okay. Ben Hobbs?

[19] **MR. HOBBS:** As a landowner, DM&E [20] has been more than cooperative with me [21] personally. The contract for sale has more [22] than doubled, but and they've been more

Page 58

[1] cooperative about access.

[2] Another point that I would like to [3] make is that years ago when the Northwestern [4] prepared the connector line from they — [5] there were lots of people who voted for it. [6] But most of us in the livestock business, you [7] know, how can be. A lot of this land [8] was actually improved by the railroad because [9] of better grassland utilization. And you [10] find a lot of the people that originally were [11] so opposed to this project actually had [12] better things to say about the railroad now [13] than they did before it was built because of [14] their grassland utilization and better access [15] and better potential. That's all I have to [16] say.

[17] **BONNIE:** Thank you. I think [18] Dana — is Dana Gordon here? Okay. Mark [19] Tubbs?

[20] **MR. TUBBS:** My name's Mark Tubbs. [21] I'm from Edgemont, South Dakota. I'm just [22] going to bring up one thing before I . I

Page 59

[1] live in an area, Edgemont, South Dakota, the [2] largest railroad in the free world runs [3] through Edgemont, South Dakota. It has [4] whomever's comfortable to the south of [5] Edgemont and then there's the train. [6] The largest railroad in the free world goes [7] through there. There is a main street on [8] Edgemont — in Edgemont.

[9] Ten years ago, Edgemont had the [10] highest taxes per thousand valuation in the [11] state of South Dakota. The railroad does not [12] pay taxes because they're a utility and [13] they're tax everyone else. It reverts [14] back to the landowners and the businesses, [15] and DM&E engineers Northern [16] Railroad. Right now, Northern Railroad [17] has a lawsuit with the community of Edgemont [18] from Fall River County and they

have to pay a [19] million dollars back.

[20] Thank you for the opportunity to [21] speak at this hearing. My father as well as [22] myself have at least. We have land

Page 60

[1] directly across from this — from the [2] proposed line to the northeast corner, the [3] northeast corner to Section 21, the northwest [4] corner, the northwest corner to Section 22, [5] the northwest corner of Section 22. [6] This property lies in the Cheyenne River [7] flood plain and. This land starts at [8] the Wyoming state line and west for [9]. This land by runoff ride the [10] range forever. The proposed line from [11] the hills down through the into South [12] Dakota away from our property. Tubbs Land & [13] Cattle LLC is in the process of obtaining the [14] water rights in. This water right has [15] the priority dated September 7, 2000, with [16] the temporary of 30, 170. If this [17] railroad was built, I would like to think [18] that the drainage should be left the same as [19] it is for the last 10,000 years. Our [20] land should be protected and focus of scope [21] will allow water to pass. Coal dust has [22] not been addressed in the EIS.

Page 61

[1] If one thing not a problem [2] the Santa Fe train then breathe deeply. [3] The effects of the river moving on the [4] as to whether each given area, the soil [5] were all here. The issue need to [6] be addressed. We already Canadian [7] and less than half of them in the Cheyenne [8] River Valley. This new with all its old [9] soil season.

[10] We wanted to mention an important [11]. After the railroads are built, who [12] will take care of these problems? DM&E has [13] shown that they care less about noxious weeds [14] on their existing line through Fall River [15] County, South Dakota. This is a very [16] expensive and hard problem to solve. This is [17] not an engineering, this is a biological [18] problem. The railroad should mitigate the [19] weed problem before they have one, which they [20] will.

[21] In closing, my father, mother, and [22] myself will not be compensated by the

Page 62

[1] railroad for taking private property. But we [2] are because of the air pollution, [3] water sediments and construction, weed [4] infestation affect valuable property. These [5] issues need to be addressed. Thank you.

[6] **BONNIE:** Thank you. We have two [7] folks who weren't able to attend. I think in [8] that, so now that you could maybe [9] Richard Wayguns (?) I think, is it, or [10] Dennis Reagan (?). Dennis Reagan, why [11] don't you read, and then Nancy [12]

before you .

[13] **MR. DENNIS:** This is Raymond Dennis [14] of , Wyoming. I'm in favor of [15] Alternative A and alternative. Now that [16] I went back to the . Mostly, [17] impacts that are listed in Volume III, [18] Chapter 4, page 4, part 3-2 are not [19] quantified and are not assertions made [20] — and are essentially assertions made [21] by the . Where are the studies that [22] actually show the industries would suffer if

Page 63

[1] there were no DM&E? We know the plan is [2] already to a new loading facility on the [3] land near Upton, Wyoming. In Moorcroft, [4] Wyoming, there's facility for the South [5] Dakota cement plant and in Newcastle, [6] there's a loading facility for try [7] to explain it. Both of these facilities are [8] on the BSF (?) line. There are [9] facilities in South Dakota, all of them . [10] Where in the facilities and others? [11] What percent of South Dakota does DM&E [12] hold? Why was this not studied? People are [13] required to Section 1503.24 of the code of [14] federal regulations that the agency shall [15] ensure the professional integrity of the [16] discussions, analyses, and environmental [17] impact statement. Mere assertions do not [18] qualify as a professional analysis.

[19] I request more time to study the [20] Draft EIS. Ninety days is an insufficient [21] amount of time to study a document that [22] weighs more than 30 pounds and is more

Page 64

[1] than 5,000 pages long. Even though I am [2] semi-retired, I have not had the necessary [3] time to accurately study and respond to this [4] document. A 180-day extension would be [5] reasonable. The is even more difficult [6] to . I live 70 miles from Gillette, [7] which is the closest complete copy. This [8] huge document takes hours to study and cannot [9] be understood by a few hours in a public [10] library. A November 29th deadline is [11] unacceptable and confusing to people all [12] documents may be not involved in the same [13] time frame. A lengthy extension should be [14] granted and it should be no earlier than the [15] DEIS's deadline.

[16] I'm proposing amendment, the [17] national grassland is no place to invest [18] operations like railroads. Provisions are [19] there pipeline, but the impact of a [20] railroad is far greater than for . In [21] fact, there's no comparison. The pipeline is [22] underground and has its impact only during

Page 65

[1] construction. A railroad is like a huge wall [2] across the grasslands, damaging

the wildlife [3] scenes part of the prairie ecosystem. [4] This is not to hide any impact from the [5] federal lands just because the farming [6] community the majority of the impact [7] comes from grassland owners. These [8] grasslands for the federal lands to [9] become without their private lands. [10] The Forest Service in both and the [11] harmful effects of this project and we can [12] conclude that the is an environmentally [13] friendly company. What evidence do you have [14] of environmental conscience?

[15] I and I'm litigation with [16] a former rancher who was supposed to become [17] an unwilling partner in the of the [18] grasslands. Well, I'm not an integration [19] developed by DM&E with their own [20] employees, these people are paid for their [21] services , and is not acceptable [22] mitigation. By issuing a license the Surface

Page 66

[1] Transportation Board prevents the use of [2] to take land from private citizens. The [3] Draft EIS is difficult to follow and read. [4] There's no index. The numbering system is [5] very difficult to follow because chapters [6] and pages . Generally, the [7] construction of the EIS is disgraceful. [8] Instead of trying to make the DEIS available [9] to a large number of people, you sought to [10] information inaccessible to the ordinary [11] person. You sought to material by [12] having it available — you sought to limit [13] those receiving the material and how and [14] now have it available CD, which is [15] inaccessible for anyone who does not have an [16] up-to-date computer system.

[17] **BONNIE:** One minute.

[18] **MR. DENNIS:** Even then, [19] they're difficult to read. income tax [20] and agriculture, just listing the impacts [21] inconvenience. Where are the studies [22] that show whether these are impacts or not?

Page 67

[1] People are required by Section 1502.22 [2] information is not readily available, but [3] information then the patience they [4] show . Studies of couldn't be [5] completed without great cost. These lines [6] were built in the recent past and [7] economic impacts, but impacts on wildlife as [8] well. And that's what the DEIS is [9] document essentially unavailable to me. This [10] is not fair.

[11] You have not studied Alternative D [12] and essentially dismissed it at the request [13] of the applicant. Also, where are the [14] studies on the joint line ? Studies of [15] the STB raises this possibility and there [16] appears to be no

mention of this alternative. [17] The safety of the new line is really a good [18] question, so that there will be no [19] until we . The most in South Dakota [20] highway and north-south arteries [21] area of . I'm opposed to granting the [22] license to DM&E. I'm opposed to license

Page 68

[1] the grasslands and I am opposed to . [2] I'm sorry I couldn't read it any faster .

[3] (Laughter)

[4] **BONNIE:** Ray, thank you, as [5] well. Great. Nancy, do you want to read the [6] ?

[7] **MS. DARNELL:** I'm sorry that [8] Marlene (?) couldn't be here today because of [9] the road conditions. Marlene is our state [10] representative from House District 1.

[11] The comments that I make today are [12] based on a quick review of the Draft [13] Environment Impact Statement. This DEIS that [14] we are to comment on weighs more than 30 [15] pounds and has been very difficult to read [16] and understand. I am requesting on behalf of [17] my constituents that you extend the comment [18] period a minimum of 180 days. To expect [19] citizens and businesspeople to comment on [20] such a gargantuan project in a short time [21] during some of the busiest months of the year [22] is ridiculous. Further, to require comment

Page 69

[1] which is to submit 11 copies of comment over [2] five pages is putting an unnecessary burden [3] on elderly or lower income people who usually [4] do not have home copiers or . Such [5] requirements discourage full participation by [6] the public. laws require that the [7] public be allowed full participation in the [8] environmental process. [9] I am also formally requesting an [10] extension of time to comment on the Army [11] Corps of Engineers' permits. The [12] comment period should be extended to coincide [13] with the comment period on the DEIS. Many [14] people may not even realize that the comment [15] period if more abbreviated because these [16] indicate that comments can be made for both.

[17] The Corps applications are also [18] very lengthy. Many of my constituents live [19] 90 miles or more from any of the libraries, [20] Rapid City and Gillette, that contain [21] complete copies of the document. When you [22] compare the size of the state's and civic

Page 70

[1] versions with the full copy, you realize that [2] the local versions are simply not adequate [3] for commenting. At the very minimum, that [4] should be at each of

the local libraries [5] along with the state-specific information.

[6] One major concern is for the [7] property rights of the landowners along the [8] route. DM&E gets the right, which [9] under Wyoming law does not offer adequate [10] protection to the landowner. A railroad that [11] cuts through an operating farm or ranch will [12] cause economic hardship as well as a hefty [13] decrease in quality of life. The working [14] landscapes are an important part of the [15] appeal that Wyoming has for tourists and [16] hunters, other major businesses that will be [17] impacted by continuing industrialization of [18] the state.

[19] Another concern is that the coal [20] mining industry is scaling back production so [21] that another railroad is not only [22] unnecessary, but also financially infeasible.

Page 71

[1] For the STB to issue a permit that can hang [2] open for a number of years while the [3] applicant searches vainly for investors is [4] unfair to landowners all along the line who [5] will not be able to make plans for [6] improvements or additions to their businesses [7] or they may make it difficult for them to [8] sell or lease property. A major defect of [9] the DEIS mitigation for landowners. The [10] landowner and the applicant, [11] which does nothing more for landowners than [12] the minimum required by Wyoming law. The [13] landowners in my district should not have to [14] sacrifice their land or lifestyle for the [15] benefit of a privately owned rail company.

[16] The Powder River Basin is presently [17] served by two of the largest railroads in the [18] U.S., who have made expensive upgrades to [19] their coal-hauling line. They actively [20] compete for the business of hauling coal, so [21] a third line is an unnecessary duplication of [22] service that will unnecessarily impact the

Page 72

[1] national grasslands and the private lands in [2] the area.

[3] The DEIS is difficult to read [4] because there's so much repetition. There's [5] no index so that the reader can follow a [6] subject throughout the document. Many terms [7] that may not be commonly known, such as [8] hydrophytic, are not defined. Even common [9] terms, such as business, need definition as [10] it appears the ranches and farms are not [11] considered businesses. The references to [12] various are difficult to follow because [13] of the obscure numbering system and the fact [14] that some pages are not numbered at all. The [15] graphs of election due to many [16] Many charts and graphs are located a number [17] of

pages away from the reading that explains [18] them.

[19] The maps in the DEIS are [20] inadequate. The maps are inadequate. They [21] do not show the existing railroad or the [22] county roads. The maps in the Corps document

Page 73

[1] are, at first glance, better as they are in [2] color and delineate the wetlands and the [3] streams. But by closer examination you find [4] that the county roads and even the main [5] highways are mislabeled. In northern Laramie [6] County and southern Weston County, Highway 85 [7] is labeled as Highway 18. Highway 415 runs [8] through Weston County, ends at the county [9] line in the Corps document and is simply not [10] shown on the maps of Campbell County. Other [11] roads in western Weston County are [12] mislabeled, making it difficult to understand [13] where the railroad is really projected to be. [14] None of them actually show where they'll put [15] the right of way.

[16] Since the rail line's projected to [17] cross many nature divides and stream [18] drainages, we know there will be massive cuts [19] and fills. Landowners have a right to know [20] how much of their property they'll be taking. [21] Maps in the EIS have no milepost markers so [22] the location sightings cannot be determined.

Page 74

[1] There are generally inadequate mitigation [2] requirements with much depending on the good [3] will and environmental sensitivity of the [4] applicant. For such a major project and with [5] the limited resources that DM&E presently [6] has, there will be much pressure to cut [7] corners. In fact, the applicant will have [8] every incentive to minimize cost and, [9] therefore, mitigation wherever possible in [10] order to compete with U.P. (?) and P&SA (?). [11] I'm also concerned that the air quality of [12] the national parks and monuments in the area [13] will be further impacted by the [14] She [14] goes on to say complete in many of the [15] areas.

[16] In conclusion, I want to reiterate [17] our request for a 180-day extension for [18] comment with the Corps of Engineers comment [19] deadline being on the same schedule. I [20] further request that a second draft be [21] written to correct deficiencies in this [22] document. Thank you.

Page 75

[1] BONNIE: Thank you. Find out how [2] many pages we can fit in in exactly 5 [3] minutes. Great. Thank you. Okay, Robert [4] Harshbarger.

[5] MAJOR HARSHBARGER: Good afternoon. [6] I'm Major Robert Harshbarger, President of [7] the Weston County Farm Bureau. I'm [8] presenting the following comments and on [9] behalf of myself as management and [10] project, 20 or so Farm Bureau members and our [11] neighbors whose land and ranching operations [12] will be directly impacted by the construction [13] of this ill-conceived project.

[14] The Weston County Farm Bureau is in [15] favor and supports the no-action alternative [16] to the Draft EIS for the following reasons. [17] The very foundation of the constitutional [18] rights of our rural community as landowners [19] are being challenged at this moment by the [20] DM&E, a private company designed to profit at [21] the expense of a few the whole [22] protection of the fight for property rights

Page 76

[1] is not being consistent. The full protection [2] of the private property rights is not being [3] consistent with the obtainment of important [4] public goals. Government bodies must be [5] willing to respect the private property [6] rights as they respect any other civil [7] liberty, also be willing to be [8] creative in finding solutions to the problems [9] of public importance outside of rights [10] of property owners.

[11] An individual's right to acquire, [12] own, and enjoy property has long been [13] recognized as being the most fundamental of [14] civil rights and foundation of all other [15] civil rights. Those who framed and ratified [16] the Constitution and the Bill of Rights [17] enjoyed these rights as being natural [18] liberties that pre-existed amendment of [19] the Constitution. The framers of the [20] Constitution considered the protection of [21] property rights to be one of the primary [22] purposes of the government. Private property

Page 77

[1] rights, which are among the most basic rights [2] in American culture, reigned supreme and [3] all consideration that has to do with any [4] governmental judicial, legislative, [5] executive, or regulatory action. We believe [6] that the right to own, enjoy, and profit from [7] one's own property is the most basic and [8] fundamental right of our society, and that [9] right must not be infringed upon.

[10] It is our intent for all the fine [11] citizens of this republic and these United [12] States of America to protect our individual [13] private property rights as guaranteed to us [14] by the Constitution of the United States of [15] America and the Constitution of the sovereign [16]

state of Wyoming. We are guaranteed life, [17] liberty, and the pursuit of happiness. We [18] are not guaranteed success, but only the [19] right to attempt to achieve a success and [20] remain secure within our property and our [21] individual rights are not interference [22] from government.

Page 78

[1] The Constitution does not guarantee [2] Kevin Shieffer and his DM&E railroad [3] will be a successful and profitable [4] operation. He's not guaranteed that. The [5] Constitution does not guarantee the citizens [6] of the Midwest cheap electricity or any [7] electricity at all. The Constitution does [8] not guarantee the American people cheap [9] gasoline, cheap food, cheap transportation, [10] cheap housing, or whatever. The American [11] citizen is only guaranteed his right to his [12] life, his right to his liberty, and his right [13] to his property.

[14] From the Fifth Amendment of the [15] U.S. Constitution: "No person shall be [16] deprived of life, liberty, or property [17] without due process of law." The 14th [18] Amendment: "No state shall deprive any [19] person of life, liberty, or property without [20] due process." Wyoming's Article I, [21] Declaration of —

[22] **BONNIE:** One minute.

Page 79

[1] **MAJOR HARSHBARGER:** Also enforces [2] the U.S. Constitution. But Section VII, [3] absolute arbitrary power over the lives and [4] liberty and property of republic, not [5] even in the largest majority. Here in the [6] sovereign state of Wyoming, all our elected [7] officials from the city councils to the [8] county commissioners to the state legislators [9] and to the governor himself take an oath of [10] office that reads in part: "I, whatever your [11] name is, do solemnly swear or affirm that I [12] will support, obey, and defend the [13] Constitution of the United States and the [14] Constitution of this state, and I will [15] discharge my duties in office whether it be [16] commissioner, town council, legislator, with [17] fidelity."

[18] As the mentioned earlier, the [19] primary purpose of government is the [20] protection of its citizens from . You [21] who are sitting here before me this evening, [22] federal employees, have charged to work

Page 80

[1] out a solution on the DM&E's request to [2] operation for the public good. Is it [3] really a public good? As federal employees [4] and civil servants, you are not only — also [5] in — are you not also in charge and have a [6] duty to support and defend the Constitution [7] of the

United States of America? Didn't you, [8] when you accepted to work as a federal [9] employee, accept the responsibility of [10] obeying the Constitution?

[11] Thank you for your time. I'm sorry [12] to be cut short. I have a few more words [13] . I reserve the right .

[14] **BONNIE:** Yes. Actually, what we'd [15] like to do right now is take about a 5- [16] or 10-minute break, so — and is there [17] folks that didn't speak at all? to sign [18] up. We'll probably go on another [19] half-hour, 40 minutes, or so when we come [20] back from our break. So if you want to sign [21] up 3- to 5-minute time frame, we can [22] take a few more speakers. We'll also, as

Page 81

[1] mentioned, if you have any questions, we [2] can take a look at those. You have to [3] and we'll in response to those. So [4] we'll take a break now. It's about — it's [6] (Recess)

[7] **BONNIE:** The question is — can [8] everyone hear me? The question is: Will the [9] STB grant a license to DM&E Railroad if the [10] majority of landowners along oppose the [11] building of the new railroad? And I just [12] wanted to make sure that everyone understands [13] that nobody knows what the Board is going to [14] do. I certainly don't and neither do my [15] colleagues. Our job is to make sure that the [16] Board has all the information in front of it [17] before they make the decision because that's [18] our job do that to make sure that when [19] we finish with the environmental review [20] process, the Board has all the information it [21] needs to make a decision on this case. Now [22] what that decision is going to be only the

Page 82

[1] board knows eventually. But our job is to [2] make sure that they take a hard look at the [3] environmental impact before they make a final [4] decision.

[5] Okay, thank you. All right, so Ann [6] Wehri is my first speaker.

[7] **MS. WEHRI:** I appreciate the [8] opportunity to speak to you tonight, and I [9] hope that you actually read the comments that [10] people are making because they are sincere [11] and we sure hope you're listening rather than [12] just going through the motions. I personally [13] think Newcastle's the majority of [14] the Newcastle committee is in favor. Many [15] of us, including me, are in the Newcastle [16] community and we are not in favor of this [17] project.

[18] In reference to some earlier [19] comments, I would say that our experience [20] with DM&E's president has been quite [21] different. I think Shieffer has more [22] personality and a looser

tongue than Al Gore.

Page 83

[1] And every time he's been to Newcastle he has [2] been sneaky and deceptive and he has a very [3] convenient memory. And also, I have to agree [4] as is hurting. And if the government [5] agencies continue to stick it to us, they may [6] not have to worry about foreign oil sources, [7] they may have to worry about foreign food [8] sources. And if you think a country can hold [9] you hostage with foreign oil, they can dang [10] sure do the same thing with foreign food [11] sources.

[12] Now in reference to the DEIS, I [13] found the DEIS very difficult to read as [14] there was no index, a guide. The number [15] pages of the Executive Summary is misleading [16] and there is no mention of the five [17] additional volumes that were then numbered B [18] and C for various volumes. The problems go [19] on and on as far as understanding it, and I [20] think that there certainly needs to be [21] additional time to get through it so we can [22] comment accurately.

Page 84

[1] On the content of the draft, it's [2] flawed a number of ways. There's blatant [3] disregard for the impacts on people. In [4] Volume III-B, page 4.4 to 50, if the visitor [5] has not previously visited the area they're [6] unfamiliar with the landscape and may not [7] recognize that their view is impaired. In [8] other words, if they had not been there [9] before, they would not realize that the views [10] of Badlands Park were hidden in the pollution [11] of the coal train. So I guess what they [12] don't know doesn't hurt them, right?

[13] The impacts to the business of [14] ranching and farming have not been included [15] in the DEIS. They are merely page 4.4 [16] through 11. There is no . Where are the [17] charts and graphs of cost in man-hours to [18] move livestock and feed across the rail line? [19] Where's the chart showing the comparisons of [20] the man-hours needed to watch for fire along [21] the rail line versus fire from natural [22] causes? There are two lengthy sections of

Page 85

[1] rail line already built in the last 25 years [2] in this area that seem a natural place to [3] study these impacts.

[4] In addition, the DEIS statement on [5] page 4.4-11, that the primary impact [6] resources will be the direct loss of forage [7] area through its conversion to railroad [8] during construction. This is absurd. There [9] is so much more impact. Where is the expert [10] opinion this came from?

Most landowners [11] have repeatedly written that the biggest [12] impact is the division of their business. [13] The Landowner Advisory Committee and the land [14] use litigation policy are touted in the [15] Executive Summary and in Volume IV as the [16] mitigation landowners. The Advisory [17] Board does not represent me. The land use [18] mitigation policy has not been shown to the [19] majority of landowners, only to the ones who [20] agreed to cooperate with the DM&E from the [21] very beginning. This is not "mitigation" by [22] meaning of the word.

Page 86

[1] In Volume VI, Appendix A, pages 41, [2] the STB accepts the applicant's view that the [3] will increase from 2002 to 2007. The [4] success of this project hinges on increased [5]. However, the DEIS in several places, [6] Volume I, pages 1 through 20, and Volume III, [7] pages 4.4 to 133, state that transportation [8] costs will be reduced by the increased [9] competition offered by DM&E. In comments [10] submitted at the Douglas meeting just the [11] other night, Mary Loomis (?), the director of [12] the Wyoming Mining Association stated that [13] when the Union Pacific and the Chicago [14] Northwestern railroads did a second line, [15] freight rates dropped 30 percent. We assume [16] that the third railroad would result in [17] similarly lowered rates which would doom the [18] success of the project.

[19] There are a huge amount of errors [20] in the DEIS. Highways and county roads are [21] mislabeled. In Appendix 8, there's no [22] mention of the crossing of Interstate

Page 87

[1] Highway 9 near Wall, South Dakota. There's [2] presently a separating that's not [3] shown in any of the charts in this. It [4] doesn't — in the STB by Shieffer, he [5] listed Exhibit A, I-90 is listed as a [6] proposed grade crossing and then it doesn't [7] appear in the DEIS. There's a number of [8] errors in the of the safety along [9] Alternative D. What is a passive device? Is [10] considered in the same category as the [11] preparation? There are 17 crops listed [12] for Weston County and I know that 10 of them [13] are incorrect. Two of them were for not [14] researched by others. Is this any indication [15] of the quality of the research done, 59 [16] percent of the information is incorrect? How [17] can you go and officials make correct [18] decisions with flawed information?

[19] The CD-ROM version of the Draft EIS [20] is useless. Is that the time? The U.S. Army [21] Corps of Engineers' document was unavailable. [22] It's 90 miles away. I

would like to request

Page 88

[1] that the comment period for both the 404 and [2] the DEIS be extended at least 180 days and [3] some revisions be done to the Draft EIS. [4] Thank you.

[5] **BONNIE:** Thank you. Don Higgins? [6] He was just here. Don?

[7] **SPEAKER:** He's right here.

[8] **BONNIE:** Don? set up [9] MR. HIGGINS: I'm coming, I'm just [10] so busy getting my around here. But I [11] know it's been a quite a day with this storm, [12] so but I did get my on. It's good [13] to see you people in Newcastle. So I'm going [14] to keep as much as we do today. Okay, [15] here's my statement expand upon it. [16] I've been all over, on foot and [17] road and airplane, along most of the 280 [18] miles of the construction to Wall, South [19] Dakota, and the coal mines. My opinion is [20] that Alternative C has no place for coal [21] trains. The Cheyenne River Valley in South [22] Dakota and Wyoming is no place for a

Page 89

[1] railroad. The current use of this grassland [2] is a working landscape producing agricultural [3] commodities, open space, and recreational [4] opportunities on public lands is the [5] preferred use. It is not only [6] destination-specific, a vacation opportunity [7] to breathe and see the clean air over our [8] at Badlands and. In no way can air [9] pollution from DM&E's old model locomotives [10] operating 6 miles to Badlands National [11] Park be mitigated. Diesel exhaust from [12] numerous moving or idling trains, as [13] addressed by the Clean Air Act, have [14] cumulative effects. The DEIS fails to [15] adequately address this matter. Even with an [16] air quality team looking at all the effects, [17] the absence of complete analysis of air [18] quality in the DEIS suggests a need for a [19] revised Draft EIS. So let's stop the process [20] after the Rochester hearing and go back to [21] the drawing board. South Dakota and [22] Wyoming, Alternative C the mandates are clear

Page 90

[1] in the Clean Water Act are not adequately [2] addressed to prevent impairment of already [3] impaired reaches of the Cheyenne River and [4] its tributaries. Again, proximal and [5] cumulative effects have not been sufficiently [6] considered by the STB and the Corps of [7] Engineers, nor by the states, in regard to [8] water quality in this Draft EIS. This, [9] again, suggests to me DEIS. My [10] suggestion is that Alternative A action [11] of the DM&E permit is the only reasonable [12] option for the STB.

[13] Here in Wyoming, the off-rail [14] impacts of DM&E's proposal are local, [15] regional, current, and cumulative as will be [16] obvious to residents and visitors to [17] Northeast Wyoming. Heavy-haul coal trains [18] create noise, air pollution, train wrecks, [19] fires without necessarily paying the costs [20] and not necessarily benefitting anyone. [21] I examined the Draft EIS and found [22] it inadequate, incomplete, inaccurate maps,

Page 91

[1] confusing, and applicant-driven. I repeat [2] the applicant-driven because DM&E's [3] unsubstantiated assertions are based on [4] proprietary information and are not balanced [5] or verifiable scientific information. The [6] entire section on economic analysis is [7] inadequate being based on fuzzy math left [8] over from the transportation phase of 1998. [9] Only document, a technical report from [10] the U.S. Forest Service out of BLM, including [11] information from. Only this volume is [12] balanced and DM&E are not present in the [13] tech report.

[14] So it is a no-build. It's a [15] no-build and a no-action, no permit expedient [16] decision will send a message to an upstart [17] railroad and to investors, national and [18] offshore, that this part of Wyoming, with the [19] big old spaces and private and public lands, [20] is a national treasure not for sale, [21] regardless of DM&E's promises for mitigation.

[22] **BONNIE:** One minute left.

Page 92

[1] **MR. HIGGINS:** This working [2] landscape will continue to function with the [3]. DM&E expansion is not an answer to [4] national transportation. DM&E coal [5] trains are private, for-profit, short-sighted [6], not in the national interest, and [7] actually destructive to the working landscape [8] of Northeastern Wyoming with no benefit to [9] local citizens and landowners. The cost of [10] the environmental impacts of this third [11] carrier are too high and far outweigh [12] that as prescribed by federal law. In [13] conclusion, no-build and Alternative A [14] is a positive decision to deny the permit as [15] stated by the no-action preference of the [16] U.S. Forest Service, one of the stewards of [17] this part of the nation. By extending the [18] comment period by 180 days of both the DEIS [19] and and by doing a second DEIS, the STB [20] and the Corps of Engineers can show some [21] leadership. Alternative A is a [22] responsible, dependable alternative to not

Page 93

[1] permitting irresponsible railroad pro-



ject. [2] Think of the no-build as a decision to save [3] time, money, energy, and STB Wyoming. [4] Use that time, energy, and money to [5] participate in a real energy issue, plan [6] for America. Otherwise, we will see you in [7] court for years and years on accountability [8] will still rest the DM&E as an [9] untrustworthy, bad neighbor pursuing a [10] destructive project not in anyone's interest. [11] Thank you.

[12] **BONNIE:** Thank you. Glenn Hanson?

[13] **MR. HANSON:** I unemployed. [14] First, I do want to thank you for giving us [15] this opportunity and became friends with [16] the BLM and the Forest Service. But the BLM [17] out here in Wyoming the land they own is [18] the — the land that they control is land [19] homesteaders didn't want. It's just on [20] most of it. Nobody bothered them. And the [21] Forest Service, most of the land they have [22] down in that area is land that nobody can

Page 94

[1] make a living on, so they sold it back to the [2] government for \$2 an acre. Now said the [3] EIS is on private land, you know there's a [4] lot of stipulations on BLM and the Forest [5] land, but nothing on private land. And [6] particular be sure to consider all [7] the thousands of people in the cities, [8] Minnesota, South Dakota, that are against [9] this. I mean, all the Ronald Reagan and [10] everything has . opposition [11] huge. I mean, relatively few people that [12] want .

[13] **BONNIE:** Okay, thank you. The next [14] speaker is Rhonda Stearns.

[15] **MS. STEARNS:** I would also say [16] thanks for the opportunity to express an [17] opinion here today. I have not had an [18] opportunity to look at the impact statement. [19] I have learned a lot listening here today. I [20] would strictly like to join Ann Wehri in [21] saying that I take exception to the Mayor's [22] statements that most of the people in the

Page 95

[1] Newcastle community support the railroad [2] because I've certainly lived here all my life [3] and I do not prefer the railroad. I mean, I [4] would support the no-action. I would also [5] support a lengthy extension of time for [6] ranchers and people who will be impacted by [7] this to have more time to understand what [8] this impact statement says, what it does not [9] say. And the things that are not clarified, [10] I certainly hope that you folks will have the [11] responsibility of sitting on this panel [12] insight into many of the things that are [13] wrong with this paper today.

[14] I would like to say that my family [15] for several generations on both sides, has

[16] occupied this land. The first explorers that [17] came out here said that this was the great [18] American desert and would never amount to [19] anything. came into the state of [20] Wyoming in the 1800s and proved to the world [21] that cattle can utilize one of the great [22] renewable assets that this world has, which

Page 96

[1] is grass and . Wyoming is not much of a [2] party country. Never has been; never will [3] be. But we've seen a lot of people on [4] and the grass that grows here naturally.

[5] I think back to . [6] watershed, the water rights, have been [7] established since the first — early '80s. [8] He came back, as people have, because [9] and you don't have much . What you do [10] have is extremely valuable. I would say that [11] it's a lot more valuable than any other — [12] than a big farming area where everybody is [13] fertilizing everything irrigation. If [14] you have a flood you every year and [15] something comes along and changes the [16] watershed that's been there for 100,000 years [17] and you lose that . I think the value of [18] that needs to be figured on a pro rated basis [19] as just exactly how much it's getting from [20] contributors to the success of your [21] operation.

[22] Furthermore, I think that our

Page 97

[1] livestock have lived on this land forever. [2] They have learned to range on this land. [3] They've learned the , everybody's [4] gathered onto the . They know how they [5] move from pasture to pasture in time. My [6] husband I do ranch and we do day work [7] for people all over Weston County and [8] Niobrara County on into Converse County and [9] some over into South Dakota. And you [10] discover that if you change the routine of [11] livestock, you lose hours and hours, and [12] everybody on the street downtown figures [13] their time, the value of their time by the [14] hours that they spend in a day and what they [15] get accomplished. And it's going to take [16] about five times as long to accomplish one [17] task than it should normally take you because [18] the railroad has to come through and disturb [19] the terrain and disturb the natural [20] tendencies of your livestock, the learned [21] rhythms, that are so natural to this land. I [22] think those things are probably not being

Page 98

[1] considered. And I also think, as Mr. Tubbs [2] said, there are many, many people who are [3] going to be affected by the railroad even [4] though their land

does not lie in the [5] right-of-way. Yes, perhaps they're going to [6] pay those people for right-of-way, perhaps [7] they're going to pay those people for the [8] ground that they disturb, but the people who [9] lie next to that and close to that or are [10] going to be impacted by all these other [11] factors are not going to be . And I [12] think that this is something that —

[13] **BONNIE:** One minute.

[14] **MS. STEARNS:** All these voices that [15] are being raised should be considered. You [16] know, area where there are . Many [17] of these archeological things are something [18] that we simply cannot replace; they're [19] priceless. This is a national treasure. The [20] quality of our air, the lack of sound [21] pollution that we now is priceless and [22] we need to really consider because that's not

Page 99

[1] a renewable resource, it's not something we [2] can bring back. I remember the first time I [3] ever saw smog hanging over Salt Lake City. I [4] remember the first time I saw smog hanging [5] over Albuquerque. I never thought that would [6] happen, but it has happened and it can happen [7] here. And I would certainly recommend that [8] you would accept the no-build and that we [9] would definitely give these people more time. [10] Thank you very much.

[11] **BONNIE:** Thank you. We had [12] formally we do want to encourage you to [13] submit written comments, certainly by the [14] January 5th deadline. If you would like to [15] submit a written comment today on that sheet, [16] that would be great. We do have a Web site [17] online way to contact us the [18] information up front and all participating [19] board. And most importantly, we really [20] want to thank you for making the comments [21] today and in this weather. We had [22] almost the entire list show up so we can

Page 100

[1] know that you all here and we appreciate [2] that.

[3] Thank you very much and have a nice [4] evening. We will be back here again at 6:00 [5] o'clock. We again making comments. [6] Thank you.

Page 101

# **[1] EVENING SESSION**

[2] (6:00 p.m.)

[3] **BONNIE:** Like to get started here. [4] We've got about a third of presentations [5] will and it will totally be your [6] comment time.

[7] The purpose of tonight's meeting is [8] to describe the agency in reviewing the [9] proposed DM&E construction, rail construction [10] project. Secondly, it's to



provide an [11] overview of the project. Third is to [12] describe the preliminary results of the [13] environmental review. And finally and most [14] importantly, we're here to receive your [15] your public comments. And I would like to [16] say on the Draft EIS —

[17] **SPEAKER:** At the [18] Transportation Board, I know a number of you [19] were here this afternoon. I'm pleased that [20] you decided to come back this evening, as [21] well. And please, be patient with us because [22] you're going to hear the same information

Page 102

[1] that you heard earlier. Thank you.

[2] **SPEAKER:** Some of the unique [3] characteristics just some of the ones [4] we'll highlight. We're to Buffalo Gap [5] national grassland, various tribal and Native [6] American concerns, again ranchers and farming [7] along existing live areas. The central [8] impact various communities located [9] within the five area, particularly those [10] along the line and near the new construction. [11] And then the potential impact that could [12] result due to DM&E's necessity to either [13] reconstruct its existing bridge over the [14] Missouri River or to construct a new bridge [15] at that location.

[16] In Minnesota, the existing DM&E [17] line will be reconstructed. There would be [18] new construction or there was proposed new [19] construction in the communities of Mankato, [20] Owatonna —

[21] **SPEAKER:** we have another [22] representative from one other federal agency

Page 103

[1] in the audience tonight. Jim Berkley from [2] the U.S. EPA is with us. EPA's role in this [3] project will be to review and rate the Draft [4] Environmental Impact Statement as well as [5] DM&E's proposal, and EPA will also be [6] reviewing the 404 permit application. Jim, [7] would you mind?

[8] Okay, let me just finish some of [9] the logistics around the time against [10] submitting your comments. All comments we [11] are receiving at this meeting tonight. [12] Written comments, there's a comment sheet, a [13] comment sheet that you can fill out [14] tonight and drop it in the box or, as we [15] mentioned before, you can send them in [16] writing by January 5th or any time between [17] now and then. You also — the agency will [18] respond to the comments in the Final [19] Environmental Impact Statement. You will see [20] formal responses to the comments that you [21] submit in writing.

[22] What we'd like to see your written

Page 104

[1] comments on are things. First, the [2] Draft Environmental Impact and keep your [3] comments to anywhere between three and five [4] minutes. I'll tell you when you have a [5] minute and then you'll hear the little beeper [6] go off when you five minutes. Thank [7] you.

[8] **SPEAKER:** I think are probably [9] just about all being used, Steve.

[10] **SPEAKER:** Mike.

[11] **SPEAKER:** Can you use the mike?

[12] **SPEAKER:** Don't worry about the [13] switch.

[14] **SPEAKER:** Is it on?

[15] **SPEAKER:** Yes, sir.

[16] **SPEAKER:** Try this again. I [17] don't — I guess I can't say exactly what it [18] was or when this Miss Nancy Hodges (?) when [19] she called to visit me about doing a — the [20] deal 3.3 miles of our ranch. We set up [21] an appointment to get started and she later [22] called and changed the appointment. I went

Page 105

[1] ahead and I changed it and there was — I [2] just about, it was about a week [3] later and she never showed up.

[4] A little bit later that month, a [5] guy by the name of Paul-somebody called and [6] he kind of asked what was going on with EIS [7] and we told him that we really didn't know, [8] that Nancy was supposed to be coming out. He [9] informed my wife that she'd unexpectedly left [10] on a vacation to England and he would set up [11] a time to come out. That's the last I ever [12] heard from him.

[13] Although I requested an EIS be done [14] on my place, there has never been one done. [15] I have concerns over dinosaur fossils in [16] these sites; also endangered and threatened [17] plants and animals. Numerous things, I feel, [18] have been overlooked in this EIS and the [19] facts all point to, as I would say, being [20] very poorly done and incomplete in an unfair [21] way being made on ridiculously [22] incomplete information. It's only — has

Page 106

[1] only been done on just a portion of the [2] route, also. A lot more studying needs to be [3] done on the water wells that are planned for [4] use in construction. I would like to know [5] who says their water table is going to come [6] back.

[7] I think a lot of work needs to be [8] done on air quality and extra traffic, that [9] they're going to have to — that they plan to [10] service our existing customers. I think that [11] we all need air quality and we need models [12] for people. We value our clean air and [13] there are laws in place to protect it, and

[14] you must follow them and consider the [15] emissions.

[16] Also, I would like to let you know [17] that the advisory committee that was set up [18] Shieffer has not and has never — has [19] not ever been authorized to speak for me. [20] They do not share the same opinions. I [21] requested to be on the board at the start. I [22] feel that I was never considered to be part

Page 107

[1] of the process. Not a single one has ever [2] contacted me about this whole thing; not a [3] single one.

[4] I think that this whole EIS needs [5] to be struck. I think that we should start [6] fresh and proceed according to the law set [7] out for the qualified people. And for [8] those of you as well as others that I reserve [9] the right to include at a later date, I [10] request an extension of the comment period [11] for at least six months. That's my view.

[12] **SPEAKER:** Thank you very much. [13] Okay, our second speaker is Joe Simmons.

[14] **MR. SIMMONS:** Is this one on? My [15] name is Joe Simmons. I'm a rancher on the [16] proposed line. We're opposed to the building [17] of the DM&E proposed new railway an [18] unnecessary railroad would cross [19] approximately 2 miles of our land and have a [20] serious adverse effect on our ranching [21] business. Noise will disturb the wildlife, [22] as well as the cattle, and noxious air

Page 108

[1] pollution from these trains will [2] increase our already existing levels from [3] the — our other railroads. The spread of [4] coal dust and diesel soot in the watersheds, [5] which are not currently being polluted by [6] coal trains, will be damaging to the [7] environment. Fire's a concern. There would [8] be fires from these trains. And if it's [9] built in undisturbed areas, well, there are [10] not natural firebreaks there, such as [11] highways, that help contain these fires.

[12] One of the biggest losses due to [13] the railroad is the water along some of our [14] pasture. The proposed route cuts off the [15] Black Thunder and Little Thunder creeks from [16] our pastures and that takes away the water [17] from the rest of the pasture. The loss of [18] livestock due to the railroad affects our [19] livelihood.

[20] I bring up all these things even [21] though some of them can supposedly be dealt [22] with through negotiations. I feel that under

Page 109

[1] current law many of these losses which occur [2] because of the proposed

new railroad will be [3] inadequately compensated for. Therefore, we [4] feel it's wrong for ranchers and the private [5] enterprise or even government to help fund [6] the private railroad that is being proposed [7] for a profitable venture.

[8] We feel that because there are [9] other rail lines in the Powder River coal [10] mines, the proposed railroad is a luxury that [11] is unnecessary. The price for tearing up now [12] undisturbed scenic land will cost future [13] generations for as long as the railroad [14] exists. Thank you.

[15] **BONNIE:** Thank you. Okay, our next [16] speaker is Lou Ann Borg-ee-all-ee?

[17] **SPEAKER:** Bor-jelly.

[18] **BONNIE:** Borgialli.

[19] **SPEAKER:** Lou Ann you want to [20] read them? Shall I read them?

[21] **SPEAKER:** Yeah.

[22] **SPEAKER:** Lou Ann was unable to

Page 110

[1] come tonight because of the weather [2] conditions in her area. She's from the [3] Wright (?) area, although interestingly [4] enough her address is Newcastle, Wyoming, but [5] she lives much closer to Wright. Here's what [6] she wrote:

[7] It is very hard for me to make it [8] clear comment on the draft. I have only had [9] the draft for 30 days. As you know, it's a [10] lengthy document, and I have been only able [11] to get through a little bit of it. I feel [12] that we should be given an additional 180 [13] days to review it.

[14] From what I've been able to read, [15] there are three areas of concerns that I [16] have: Exactly where the railroad is going, [17] the highway crossings, the noise issue, and [18] the air quality. When I looked at the maps [19] that were available to me, I found that there [20] will be four grade crossings between my [21] house and the Black Thunder line. That's [22] only a nine-mile distance. My concern is in

Page 111

[1] the fact that I have a child that will have [2] to ride a bus or drive herself to and from [3] school. The have made overpasses [4] on 450. Why doesn't the DM&E have to do the [5] same?

[6] When I saw the maps during the [7] scoping, I was under the assumption that the [8] railroad would go on the north side of [9] Highway 450; now it's on the south side. I'm [10] not sure from the maps just where it will be [11] in relation to my house. Why can't we be [12] given exact maps of where it will go?

[13] Why is the noise more of a concern [14] for the people in town than those of us who [15] live out of? Isn't our right to peace [16] and quiet as important as those

that live in [17] town? I have heard that in Arizona, a [18] railroad was trying to make a new route and [19] they were told that they would have to put up [20] sound barriers along the route. Will DM&E [21] have to do the same? Will we make them put [22] them up everywhere?

Page 112

[1] My main concern is for the air [2] quality. We are right now having problems in [3] my area with the mines blasting and producing [4] orange clouds that have been labeled lethal [5] by the EPA. From what I've been able to read [6] there haven't been any studies into the NOx [7] in my area. Why not? Were there studies [8] done on what the combination of the Two Elks [9] power plant will have in relation to the [10] railroad? If so, what are they?

[11] We know now that the train's just [12] sitting at center have increased their [13] NOx to a warning level. Will that be any [14] different for us by the yard that DM&E has [15] planned? From what I can see, the yard [16] on 450 is one of the lowest spots on the [17] route and that all trains will have a pull [18] going east and west. With that our NOx will [19] increase even more. What are the studies [20] that have been done on that? Where are they [21] so I can look at them? The only other place [22] in Wyoming that has a NOx problem is at Bill

Page 113

[1] (?), Wyoming, right beside the yard. [2] With everything else we have to contend with, [3] is having a yard on 450 really a good idea?

[4] I do not feel that the railroad [5] should be allowed to come over new ground at [6] all. Why is it better to go on existing [7] lines in some places and not in others? Why [8] is our area, even though less populated, less [9] valuable than one with more population? Why, [10] just because we have less people, should we [11] have to live with all the destruction the [12] railroad will make?

[13] Now I'd like to talk on behalf of [14] my neighbors, Dan and Joyce Tracy (?). They [15] are right now in the hospital with their [16] daughter not sure of how much longer she has [17] and unable to be here. Their ranch will be [18] split into several different sections. The [19] tracks are going to cut the water supply off [20] for a big part of their ranch. They're very [21] concerned with what this project will do to [22] their water. What has been done to study the

Page 114

[1] change of the Little Thunder Creek? Lou Ann [2] Borgialli.

[3] **SPEAKER:** Thank you. Our next [4] speaker is Rick Wehri.

[5] **MR. WEHRI:** My name's Rick Wehri. [6] ranch just across line. And all my [7] comments, although I've got a lot on [8] document, just the first thing that [9] struck me about the document talk about [10] was the fact that this Environmental Impact [11] Statement reads more like an editorial [12] than it does the unbiased analysis.

[13] On Section 1502, on the shall [14] not commit resources prejudicing selection of [15] alternatives before making a final decision. [16] And it also says the Environmental Impact [17] Statement shall serve as the means of [18] assessing the environmental impact of [19] proposed agency actions rather than [20] justifying decisions already made.

[21] Reading this I think that the EIS [22] was written with a predetermined judgment

Page 115

[1] that they were going to try and prove that [2] the railroad could be built. And then [3] reading through I can see several statements [4] that lead me to believe that. On Table 5.1 [5] of the EIS, phrases they used in here that [6] indicate to me a slight bias. One place it [7] says: Ingestion from fuel and lubricants [8] in the unlikely event of an accident. [9] DM&E has the worst safety record in — of all [10] the railroads in that state. Why are they [11]?, so there should be some effects.

[12] It says reduced access an [13] inconvenience to environmental ranchers. [14] This is a livestock woman. Whenever they [15] talk about an effect that's inconvenience or [16] a nuisance, it's not a problem, it's just a [17] simple inconvenience like standing in line at [18] Kmart. It's not an inconvenience. It says: [19] Potential damages to one house located [20] between 100 and 200 feet from the proposed [21] line, and it also goes on to state that these [22] structures could experience minor damages.

Page 116

[1] But the minor damage is determined as crack [2] in the foundations, breaking of items along [3] the tables and walls. And it also states [4] that this would be an inconvenience and [5] annoyance to someone. A crack in the [6] foundation is a minor flaw? I think that's [7] quite major.

[8] It says fencing may impede seasonal [9] migration. May impede? You got a fence on [10] two sides of the railroad track and that [11] might impede migration? It also says then we [12] go over 100 railroad tracks. These are [13] adjectives. This is supposed to be an [14] unbiased analysis and yet we're using all [15] these things that say over 900 construction [16] jobs, we got high-paying railroad jobs, those

[17] property values may increase in areas [18] suitable for commercial development. There's [19] no data for this; it just says it.

[20] No business industries are located [21] in close proximity to the proposed rail [22] corridor. What are all the ranches and

Page 117

[1] farms? Are these not businesses? It says [2] the only measurable impact on big game is the [3] amount of habitat lost to the conversion of [4] the rail line. The only impact was the loss [5] of this little bit of land. Is that not [6] misleading?

[7] One statement I particularly like [8] was talking about fires. It says: However, [9] sometimes, fires to be escaping, and [10] under the right conditions and if these fires [11] land in an area with fuel, a source of dry [12] grass, they can ignite fires. Isn't that [13] quite a qualified run-around statement? [14] If — it sounds like to me it's a very slim [15] chance that we have fire along the route. It [16] happens all the time. This makes it sound [17] like it hardly could ever happen, and if [18] there is a fire then the mitigation says the [19] shall develop an adequate plan for fire [20] prevention. What is an adequate plan for [21] fire prevention? What does that mean? It's [22] up to his discretion to do what he wants.

Page 118

[1] **SPEAKER:** One minute.

[2] **MR. WEHRI:** One minute? Okay, [3] I'll — I've got a lot more. I would also — [4] I also think that they are using scare [5] tactics to try to talk you into using the [6] DM&E. It says that actual alternative [7] would have serious environmental [8] consequences. It says the hardships, the [9] the ag communities, and all these [10] things, but none of these are substantiated. [11] They're just quoting from DM&E or preaching [12] for the DM&E that these alternative have [13] all these environmental constants, yet it [14] doesn't talk about any of them doesn't [15] characterize them.

[16] Therefore, I think that this Draft [17] EIS needs to be thrown out based on the fact [18] that it was prejudiced in the selection of [19] alternative before making their final [20] decision. It is justified and predetermined [21] decisions through the use of Environmental [22] Impact Statement and throw it out and

Page 119

[1] start new with an unbiased council. Thank [2] you.

[3] **SPEAKER:** Thank you, Rick. I do [4] want to remind we've got about three [5] more signed up to speak, so if you would [6] like to speak, please do. Go up the front [7] there and let Judy know so we

can add you to [8] the list.

[9] Okay, our next speaker is Maxine [10] Ripley. I'm sorry, Maxine.

[11] **MS. RIPLEY:**

[12] **SPEAKER:** Okay.

[13] **MS. RIPLEY:** Because I didn't get [14] her.

[15] **SPEAKER:** Okay, because the police [16] told us, right?

[17] **MS. RIPLEY:**

[18] **SPEAKER:** Okay. And then our next [19] speaker is Keith Anderson.

[20] **MR. ANDERSON:** Thank you. I'm a [21] landowner. I operate a ranch south of [22] the Wyoming line.

Page 120

[1] I'd like to start with some general [2] comments, first directed toward the Corps of [3] Engineers representative. I guess I object [4] to the fact that this proposed 404 permit is [5] not readily available for public inspection.

[6] In my specific instance, the [7] closest complete document I believe is in the [8] Rapid City Library. That's 100 miles distant [9] from me, and it's simply not practical for me [10] to go to Rapid City to a library and do an [11] adequate review of that document. And I [12] would request that the Corps of Engineers [13] make that document readily available to [14] interested landowners at the very least and [15] provide us with an opportunity to provide [16] meaningful comments.

[17] What struck me reading the [18] Environmental Impact Statement, it was [19] written with a total lack of cites listing [20] the investigations and appeared to have been [21] written largely in an office. It relied [22] heavily on representations by the applicant

Page 121

[1] and by consultants obtained by the applicant [2] and by industry organizations with a vested [3] interest in the outcome.

[4] The entire discussion of the [5] no-build Alternative A talks about a lot of [6] negative consequences of the no-build. [7] Again, that seems to be taken directly from [8] the applicant's promotional literature. And [9] it is highly speculative when you talk about [10] economic impacts, safety impacts, management [11] impacts, all those kinds of things that you [12] really have no way of predicting. And I [13] think that that kind of speculative [14] literature has no place in what's intended to [15] be a decision document.

[16] This EIS attempts to demonstrate [17] that there's a need for additional rail [18] capacity out of the Powder River Basin. [19] Again, that's based — appears to be based [20] largely on representations

made by the [21] applicant. The only thing that I could find [22] that was — comes close to being an unbiased

Page 122

[1] analysis was the in Section 5.2.3, paid [2] for by BNUP (?). I think they have correctly [3] identified that the bottleneck in moving coal [4] out of the Powder River Basin is in terms of [5] loading facilities. And I think if you had [6] spent some time talking with you'd find [7] that to be the case. The entire discussion [8] on air quality were to basically just dismiss [9] coal dust emissions for the train. It's [10] inadequate suggested because nobody has [11] complained that there's not a problem. And [12] the scoping area indicated at that [13] time that we or I had the opportunity to [14] serve as chief engineer on a project where, [15] among other things, we did baseline [16] environmental monitoring for an environmental [17] impact statement written by Nancy Dallacory [18] (?). As part of that, system of [19] baseline air quality monitoring, we had one [20] ESD (?) monitor about 200 meters from the BN [21] track. certain atmospheric conditions, [22] fugitive coal dust from the BN trains would

Page 123

[1] blind single train. Again, with [2] the — what is known under Representative [3] Kramer (?), Representative Dare (?) that [4] indicated, under certain conditions, they [5] would look back at the train and it was just [6] a fog of dust. It's not on every train, but [7] again, you can't just summarily dismiss it, [8] not only with regard to visual impact on air [9] quality, I think you have to discuss [10] potential health impacts.

[11] I realize that there are — [12] probably are not specific epidemiological [13] studies that relate to congestion and low [14] concentrations of coal dust, but I would [15] suggest what you need to do is what they've [16] done with other contaminants and assume a [17] straight line in relationship between health [18] impacts and ingestion with the contaminant. [19] Most notably that's done. And I think [20] that that discussion, particularly where the [21] road goes through so many populated areas [22] needs to be discussed.

Page 124

[1] Just very quickly, the discussion [2] with regard to derailments being unlikely, [3] again, I think that's entirely inadequate. [4] We have records from other railroads and [5] we all of us here can remember on the [6] B&N. And I think that you need to make [7] some kind of prediction of derailments. It [8] also indicates that the small quantities of

[9] fuel and lubricants. I would point out to [10] you that the DM&E locomotive likely to be [11] used on this project has a fuel capacity of [12] 6,000 gallons. So with three units, you've [13] got a fuel capacity about 18,000 gallons. [14] And I don't know under any definition that [15] that would be considered to be spill.

[16] Finally, with relation to surface [17] quality impacts — surface water quality [18] impacts, the state of South Dakota has [19] identified the majority of the Cheyenne River [20] in the area under consideration. And [21] depending on what EPA ultimately does with [22], the impacts, the are not

Page 125

[1] primarily and this document indicates [2] that stretch of the operation will have [3] significant impacts on and the [4] watershed. And I think that's a significant [5] impact. Thank you.

[6] **SPEAKER:** Thank you. Anna Simmons?

[7] **MS. SIMMONS:** To the chairman and [8] the board and all present, this railroad —

[9] **SPEAKER:** Anna, would you come up a [10] little closer to the mike?

[11] **MS. SIMMONS:** To the chairman and [12] board and present, this railroad [13] Proposal 3-A and every day, 365 days a year, [14] pain in our side, like a sack of rocks [15] attached to our backs. The cost of losing [16] livestock in storms, water, fighting [17] prove the railroad has caused damage and [18] deaths and range fires, trying to use the [19] crossing with trains on the tracks most of [20] the time.

[21] There is noise pollution and dust [22] flying off the trains, settling on the range.

Page 126

[1] Horses are afraid of these noisy, smelly [2] trains, too. Dust from the coal is not [3] healthy. Could the Surface Transportation [4] Board get a study done on how healthy it is [5] to have the dust to breathe and eat the soot [6] on the grass for wildlife and domestic [7] animals?

[8] Emissions from the diesel [9] locomotives also is known to cause cancer. [10] We do not need another dirty, unhealthy [11] environment in our county. DM&E is a [12] private, I mean, private business. DM&E is [13] threatening to pay only one-fourth to [14] one-twelfth the cost of any bypasses around [15] cities to force the cities and rural [16] landowners to agree to what DM&E wants: To [17] not the rest of our cities and towns out [18] in public. The example given is Pierre, [19] South Dakota, \$1 million cost. But the [20] railroad would only pay \$12 million and the [21] DM&E railroad is causing cost. What [22] else and where else is DM&E going to shove

Page 127

[1] costs it is creating to landowners?

[2] Of the jobs the railroad has [3] proposed, it will bring in 1,176 jobs quoted [4] in the paper. 1,117 will be in South Dakota. [5] That leaves 59 jobs for Weston County, [6] Niobrara County, and Campbell County to [7] share. Is that construction only or [8] permanent jobs?

[9] Vern (?) and I've worked to drive [10] our pickups and trucks and ride our horses, [11] drive cattle, fix fence, enjoy open spaces [12] our private own business. We enjoy the [13] wildlife in this area of Weston County where [14] the railroad is proposing to cross. Our land [15] is in better shape now than 100 years ago. [16] There is water and grass distributed [17] everywhere. Vern can remember when his dad [18] first seen the first deer in its open range [19] area of Weston County. New water development [20] has increased wildlife presence, along with [21] a fine place to live and raise our [22] children and grandchildren. I have typed and

Page 128

[1] copied articles of where I got my facts from [2] and we agree with the comments we've received [3] over our e-mail service. I can give you [4] copies of that and I won't repeat it here.

[5] **Another question:** How soon will dirty coal [6] be out of popularity for generating [7] electricity and solar sun and natural gas [8] take its place? We need to use clean energy [9] whenever we can. We had the Burlington [10] Northern Santa Fe Railroad and the —

[11] **SPEAKER:** One minute.

[12] **MS. SIMMONS:** — Union Pacific. [13] That is on the northern, eastern, western, [14] and southern boundary of Weston County. We [15] do not need a duplication of services down [16] the middle of our county. DM&E should foot [17] all costs if it's agreed. There's a concern [18] of coal dust flying off the trains leaving [19] for Aspen. We have seen it firsthand. You [20] can see a coal train coming for miles because [21] of the black dust flying off in the air. The [22] further the coal full train travels, the

Page 129

[1] dustier the coal becomes. Remember the coal [2] miners in Kentucky and. Didn't they [3] develop black lung disease from working in [4] the coal mines? Do we who live along a coal [5] route suffer the same future? Thank you.

[6] **SPEAKER:** Thank you. Okay. Don [7] Higgins?

[8] **MR. HIGGINS:** a second chance [9] to speak today. I mean, I power of [10] storm for this evening's meeting. I've been [11]

listening carefully again because every time [12] I hear a new speaker, I hear more issues [13] regarding DM&E and regarding problems with [14] the EIS and I'm just wonderfully privileged [15] to hear all these new objections. I hope the [16] people up front are taking notes, and we are [17] just beginning this process, dialogue if you [18] will. We're very courteous and friendly at [19] this stage and we intend to remain that way [20] until we tell it to the judge.

[21] **BONNIE:** Thank you, Don. Okay, so [22] right now, I just want to make sure the folks

Page 130

[1] who didn't get an opportunity to speak, [2] excuse me, or those folks who have had an [3] opportunity, right now would be the time. So [4] if anybody would like an additional 3 to 5 [5] minutes to speak, we just ask you to come up [6] and spell your name, and if you represent any [7] group, into the microphone so we can make [8] sure we capture it clearly. So are there [9] folks who haven't spoken at all? Did you [10] raise your hand, sir? Would you want to come [11] back up?

[12] **MR. ANDERSON:** I have already [13] spoken. I would like some additional time, [14] though.

[15] **BONNIE:** Some additional time? [16] Okay, that's fine. Come on up. Again, just [17] for the purposes of the transcript, if you [18] wouldn't mind just spelling — saying your [19] name again, that'd be great.

[20] **MR. ANDERSON:** I'm Keith Anderson. [21] I think your clock might be fast. (Laughter)

[22] **BONNIE:** No, it's not.

Page 131

[1] **MR. ANDERSON:** But I do get a [2] chance to —

[3] **BONNIE:** It's not.

[4] **MR. ANDERSON:** — . It seems [5] pretty clear that there would be an access [6] road that would be along the track for the [7] purpose of crew changes and providing [8] maintenance for the track. Nowhere can I [9] find where that's discussed in the draft and [10] certainly there will be impacts on air [11] quality and surface water quality from that. [12] The other aspect with regard to derailments, [13] you enter into that discussion, you need to [14] talk about spilled coal and how that's going [15] to be dealt with, where that might be [16] disposed of.

[17] A couple of other issues that might [18] discussed talks about emergency response [19] vehicles. Again, I specifically addressed [20] this during the scoping process. It was [21] submitted

with this document. My suggestion [22] was that — my understanding of what's

Page 132

[1] included in this document is that it's [2] proposed in there to be some type of [3] communication between the trains themselves [4] and the emergency response vehicles so that [5] if the train crossing is blocked they can [6] communicate with the emergency response [7] vehicles, then choose an alternate route. [8] That's fine if you're in Washington, D.C., [9] but throughout much of this area if a route [10] is blocked there simply is no other [11] reasonable access. And while we recognize [12] the intent of this project is to run things [13] along the track, those of us familiar with [14] train operations know that from time to time [15] they will be stopped. Sometimes they're [16] stopped across crossings and yet if a [17] emergency vehicle is denied access it could [18] be a fatal consequence. My suggestion to you [19] during the scoping was that you review those [20] situations where a sole access or the only [21] access might be blocked by the train that you [22] make a requirement under mitigation that

Page 133

[1] there be an alternate access provided, for [2] example, through a drainage structure or [3] something. In other words, you could route [4] the emergency vehicle down alongside the [5] track on the access road drainage [6] structure. I think it might be in that [7] situation where the train route would be [8] could deny us access.

[9] The discussion on construction [10] workers, 4.4.16-1, seems to, I think, miss [11] the point entirely. Again, when you're [12] talking about a few hundred workers. Perhaps [13] in Washington, D.C., it's hard to make — see [14] how that's a significant impact. You look at [15] I call them, a few hundred workers has a [16] huge impact on emergency services [17] particularly, the police, and the court [18] system. I don't mean that to discourage [19] construction workers, but it's a fact of [20] life. That kind of activity has a huge [21] impact and there needs to be a consideration [22] mitigating that impact.

Page 134

[1] The discussion on taxes, that [2] somehow those taxes would magically be paid [3] for those costs, entirely misses the point. [4] There's a common sales taxes, taxes [5] are available from the counties. that's [6] not the case, sales tax goes directly to the [7] state with no local benefit. In terms of [8] property tax, over two years between the [9] time that the construction occurs before [10] those property taxes, so again, there's [11] no real mechanism to the effect to pay [12]

for the. And I would point out on this [13] that the Table 4.4-44 on property tax has [14] originally been taken directly from DM&E's [15] promotional literature. It overstated the [16] tax revenues under the laws that were in [17] place at that time. The law's been changed [18] for over a year, so that table is based on a [19] law that is no longer in existence.

[20] And also with regard to sales and [21] use taxes there's some indication that [22] construction sales tax revenues. In

Page 135

[1] reality on a project this size, those types [2] of materials are not going to be purchased [3] locally; they're going to be bid. You might [4] have some suppliers from Rapid City or even [5] as far away as Denver and they're simply not [6] going to go down to the local five and dime [7] for railroad or even diesel fuel [8] for that matter.

[9] **BONNIE:** One minute.

[10] **MR. ANDERSON:** I think that hits [11] some of the major points that I wanted to [12] bring up. Thanks for your time.

[13] **BONNIE:** Okay, Ron Allemoni, Ron, [14] I don't think you were here in the beginning. [15] I'll give you — you have about 5 minutes or [16] so. I'll tell you when you have a minute.

[17] **MR. ALLEMAN:** Ron Alleman, [18] A-L-L-E-M-A-N, I'm here working with [19] Santa Fe. I have a few comments to [20] make. And first off, I'll start with about [21] this taking from the Powder River [22] Burlington Northern Santa Fe. It's a company

Page 136

[1] in-house newspaper that's put out [2] September 2000. holds small town [3] meeting. B&SF (?) president and chief [4] operating officer to come in and coming [5] back division. absolutely hard [6] time of year and I will give you problems [7] values and increase somewhat [8] with a mild winter and a cooler summer in [9] many part of the country. complication [10] has to do with the various styles most [11] certainly, although expects that without [12] power the near future. The coal cycle [13] time has been so bad, BNSF is overburdened [14] with coal. Additionally, when Union [15] Pacific recovered from their post-merger [16] service difficulties business back.

[17] He was asked questions by the [18] people in the audience or the regulars at [19] this town meeting financially set of [20] questions asked. Will we continue to invest [21] in the coal corridor? The answer was rose by [22] rose. In 2001, you will not see significant

Page 137

[1] expansion in the Powder River Basin.

[2] Investments in this area are a little ahead [3] of the. There is nothing as important [4] to BNSF as businesses in this area. More and [5] more predictions will dictate.

[6] I would love to have the problem of [7] trying to convince to put more money [8] into the Powder River Basin. Things [9] used to. Why are we not putting any [10] maintenance money out here? there have [11] been many capital available [12] surfacing and undercutting while was [13] serviced this year. There's over a million [14] dollars spent on maintenance on [15] tracks alone. That's questionable. The [16] weight of trains is off of the track is [17] to engineer Steve had cancer. We [18] asked that will continue. Past [19] experience with railroads as far as [20] and the.

[21] I went up to the ranch and as [22] a roadmaster. Now I am the new ranch track

Page 138

[1] inspector ranch. I've been on both [2] sides of railroad and this is a [3] different side of things. Railroads are not [4] good neighbors.

[5] When I was confronted about selling [6] my property to DM&E, they came back with — [7] and my question was how about fixing the [8] fence? What happens if my cows 4 miles [9] up on track? What do you do? They didn't [10] know. I told them, put the cow where [11] you find it. It doesn't matter. There's a [12] brand on the side of the cow. In [13] Section 4, we have the where that cow [14] came from, then does not care. His main [15] job is to get the thing off the right of [16] way — so hopefully, it's because then [17] he might have to carry.

[18] **SPEAKER:** One minute.

[19] **MR. ALLEMAN:** I'm going to [20] emphasize. You have problem with a [21] fence, have you got someone to fix it, yeah, [22] we'll get someone out to fix it. They won't

Page 139

[1] fix it. They do fix it on their time. And [2] then they propose to pay you one and one-half [3] times the rate of labor, whatever the minimum [4] wage is. It doesn't say anything about your [5] vehicles, it doesn't say anything about your [6] material, all it says is that's what they [7] will pay you. Farmers won't fix for the [8] railroad, I have a contract. The railroad is [9] not a good neighbor.

[10] DM&E will not address what they [11] will do, how they will keep trespassers off. [12] They don't know and have no control over it. [13] Thank you.

[14] **SPEAKER:** Okay, Allen Slagle.

[15] **MR. SLAGLE:** Thank you for the time [16] to let me speak. I appreciate the [17]



opportunity. Do I need to spell my name for [18] you? Okay, it's —

[19] **BONNIE:** Yeah, S-l-a-g-l-e?

[20] **MR. SLAGLE:** That's correct.

[21] **SPEAKER:** And A-l-l-e-n?

[22] **MR. SLAGLE:** Correct. And I'm a

Page 140

[1] rancher here in the area. I have just a few [2] concerns. I haven't had time to really go [3] over the Draft EIS, but I guess some of the [4] concerns I have, I've been dealing a lot with [5] the Forest Service lately and grazing [6] horse. And the problem we're having with [7] them is the Forest Service doesn't want us to [8] put any fence in to divide up grazing land [9] because it inhibits migration of wildlife. [10] And I guess what I see is a railroad is going [11] to be even twice as bad or more for that kind [12] of migration of wildlife because we should [13] have two fences that are a lot more [14] substantial and more they even allow us [15] to build, plus you've got a set of railroad [16] tracks, if not more. I see that as a [17] major problem for wildlife migration.

[18] Another thing that you're looking [19] at, Forest Service was even proposing some [20] wilderness and areas in our area real [21] close to where the railroad would be going [22] through. And as I look at that, if they're

Page 141

[1] proposing these kind of areas here, you know, [2] we're one of the last few areas that's [3] actually got some pretty wide open spaces [4] without highways or railways. And we do have [5] wilderness area if we wanted it, but I [6] guess we prefer to have the same quiet, [7] uninterrupted atmosphere as the wilderness [8] area without actually having the limitations [9] on it because this way, we can actually allow [10] people to come in. We get people from the [11] East come out hunting. They're all amazed at [12] the silence and the quietness that we get out [13]. And I know just had a railroad [14] cut through there not too long ago. They no [15] longer have the quiet up there. The railroad [16] comes — the trains come through and at any [17] time of the day or night, you hear a train [18] rumbling through and the noise that it makes, [19] I guess. I think that is a concern. I mean, [20] we enjoy our silent areas out here and the [21] ability to invite people to come out and [22] enjoy it with us.

Page 142

[1] I guess probably a lot of the other [2] issues have been addressed. I know fire is a [3] big issue for us. This last summer was a big [4] one, a little extra dry. Railroads do

cause [5] fire.

[6] And another thing would be the [7] state. Just about time DM&E was proposing [8] this, there was a big deal on railroad [9] safety, accidents at railroad crossings. [10] look at DM&E's proposal here, most of [11] their road crossings are just a regular old [12] crossing, no separation between the train and [13] the vehicles crossing. And I guess, you [14] know, if we're going to build a new railroad, [15] let's build a safe one; let's have them put [16] split crossings at all major county roads and [17] highways and not have to worry about it when [18] they — UP did a. They closed a lot of [19] the road crossings that were going across [20] some of railroad at that time because it [21] was too dangerous. And so I guess my concern [22] for the Surface Transportation Board is that

Page 143

[1] it's supposed to be required to make this a [2] safe railroad. That's one of their comments, [3] they want it to be safe. Let's make it that [4] way.

[5] And I guess that's about all I have [6] for you. I thank you for coming.

[7] **BONNIE:** Okay. Do we some — any [8] other individuals who'd like to speak, take [9] the 3 to 5 minutes? Is there a repeat [10] speaker, any new speakers?

[11] **MS. DARNELL:** I'd like to just make [12] a quick repeat, please.

[13] **BONNIE:** Sure, go ahead. Again, [14] for the transcript if you could just say your [15] name.

[16] **MS. DARNELL:** Nancy Darnell from [17] South Newcastle. The license to cross the [18] grasslands should not be granted and the [19] forest plans should not be amended. There's [20] a huge number of reasons why I think that's [21] true and some of them are incompatibility [22] with raptors and other birds that you find on

Page 144

[1] pages 4.108-114 in Volume VIII-B. That's [2] confusing numbers. It says — because [3] if you can go back and find that, you're [4] better than me.

[5] Other impacts that cannot be [6] mitigated on the grasslands are noise and the [7] visual impact on the grasslands. In the [8] amendment, it says that this is a [9] nonsignificant impact. We need to make the [10] point to you that building a railroad across [11] both Center (?) Basin and the Mountain View [12] Gap national grasslands is really very [13] significant. The grasslands are a [14] checkerboard of public and private land. [15] Just because the applicant can shift the [16] problems to the private sector doesn't — the [17] problems to the private sector does a lot [18] less than the cumulative impact on

federal [19] lands. Without the adjacent private lands [20] these federal grasslands are only a scattered [21] remnant prairie that loses much of their [22] scientific and ecosystem value.

Page 145

[1] While Alternative C is supposed to [2] be much more environmentally friendly, that's [3] what we're told, yet on page — I've got to [4] find this, on page 4.4-28, are listed [5] for each alternative along the Cheyenne. [6] Alternative B would pass within 500 feet of [7] the Cheyenne River and its perennial for [8] a total of 21.9 miles. Alternative C, the [9] preferred alternative, is for 20.8 miles. [10] Only 1.1 mile less? And Alternative D is [11] only 13.5 miles. Now those seem a little odd [12] figures to me. I can't understand why anyone [13] could stand up or write that Alternative C is [14] so much less impact because there's only 1 [15] mile less.

[16] Also, in the DEIS it states that [17] Alternative C is much less of an impact [18] because it will go 500 feet from a rare tube [19] area, which a rogues area, which is an area [20] eligible for wilderness. Well, when it [21] goes 500 feet from that kind of area it will [22] wipe out the wilderness qualities of the

Page 146

[1] area. The noise impacts are shown in the [2] DEIS to travel at least five miles, so that [3] pretty well wipes out any possibility of [4] those areas being preserved. [5] Another assertion that's made, [6] page 4.4-27, asserts: "It is like in many of [7] the intermittent stream crossings could be [8] installed and reformation measure implemented [9] without water ever being present in the [10] stream channel." Again, that's pure [11] assertion. Without prohibitions about we're [12] keeping wet places during wet weather, [13] construction schedules can be pursued during [14] any weather and mitigation is long.

[15] Page 4.4-8, it states: "During [16] rail operation, the offer to obtain rail [17] service may attract businesses to the area [18] along these alternatives for future [19] development. Property values may increase in [20] areas suitable for commercial development." [21] Where is the hard data to show that a new [22] railroad ever brings new business? Where is

Page 147

[1] the study of the joint line in the coal [2] corridors that show that business has [3] developed along the lines that were [4] established there in the last 25 years? This [5] is pure pie-in-the-sky speculation and [6] cheerleading for the DM&E.

[7] In the economic studies, they talk [8] only about benefits and not costs. What are [9] the costs? There are many costs



related to [10] this and all the economic studies show —

[11] **SPEAKER:** One minute.

[12] **MS. DARNELL:** It's the increase in [13] taxes. The DEIS misconstrues the likely [14] economic impacts of the project without the [15] required footnotes and references and, in [16] some cases, gives supposed economic benefits [17] for the project way too much weight for an [18] Environmental Impact Statement. Negative [19] social and economic impacts on the existing [20] population are not considered or understated. [21] Ranchers, townspeople, and farmers should not [22] be asked to provide land through eminent

Page 148

[1] domain or to sacrifice their way of life for [2] a private profit project.

[3] **BONNIE:** Thank you. Any — [4] before Ron comes up, any of the new — or new [5] speakers. If you're a repeat speaker let me [6] get Ron first. Any other folks who haven't [7] spoken before who want the opportunity? [8] Okay, so we've got Ron and Rick, I think, as [9] repeat speakers. Go ahead, Ron.

[10] Ron, can you, again, spell your [11] last name for me?

[12] **MR. ALLEMAN:** A-l-l-e-m-a-n. Okay, [13] how — what it boils down to, from my [14] perspective in working with the railroad, I [15] don't care whether UP hauls it, BN hauls it, [16] or DM&E hauls it. I'm not for [17] Alternative C. I think there is a better [18] route — it's Alternative D. But you got two [19] pieces — two people in there now that are [20] tied to coal. Put another one in, you got [21] three who won't make it. All this is doing [22] DM&E. It ups the value of the DM&E

Page 149

[1] rail system, the merger, the takeover by one [2] of the larger railroads that is now in [3] existence. Unless there is really the [4] Union Pacific about, about one of the [5] coming in with them. We sacrificed our [6] lives for this and we work, a lot of ranchers [7] are done for the land out there? No. [8] We make it so that nobody can line their [9] pockets when this is all said and done [10] because they sell their product to someone [11] else at higher cost at our expense? No.

[12] From what I've seen of a lot of the [13] maps you can't tell where it's going. These [14] maps by the Corps of Engineers, they're [15] outdated. They don't even show Highway 450 [16] out here. How do we gauge where this thing's [17] going? Sure, I can look at my piece of land [18] and I can see going to tear me apart, go [19] right through the middle of the cattle [20] pasture. It destroys my cattle pasture. Are [21] they willing to put

an underpass under it? [22] Not really. That's what they've stated to

Page 150

[1] me. negotiated way, yeah, they [2] might do that for me. Their fences or the [3] roads that are oil field, are they going [4] to accommodate that oil field? No, not [5] unless they absolutely have to.

[6] The cost to the county and the [7] cities, Weston County, Converse County, [8] Niobrara County, it's going to be more — [9] Campbell County, Weston County, it's going to [10] be more us. People pay their taxes to [11] the counties. We want better crossings out [12] there, we'll have to pay. There's some [13] question about a deal lights on some [14] crossings. Unless they're forced to and we [15] force the federal government to step in [16] through our counties and our cities, they [17] won't those crossings until we [18] probably run over somebody or have a close [19] call. New business on — bringing new [20] business in with the rail line from Gillette [21] where it is called the Donkey Creek (?) where [22] to the south. We're pleased it goes

Page 151

[1] . How many businesses, other than the [2] coal mines that have been there, have came in [3] since it started in 1979? Two. You've got a [4] rail shop that repairs the rail cars. [5] You've got which is an agent for [6] distributing plastic and materials to the [7] mines up by Belair (?). You've got gas [8] line; that was there before. They finally [9] put in a couple switches so that they can [10] get — how often do they serve? They're [11] served there every day as practical. [12] line and everything else, these people will [13] not put in any additional lines. They don't [14] want them. They don't want to come. [15] They want to move coal.

[16] There is no benefit to the [17] taxpayers and the ranchers and the people of [18] Weston and the other counties, Campbell, [19] . You're going to tear apart our life, [20] you're going to tear apart our system. They [21] wanted everything. Alternative D [22] and make an agreement with Burlington

Page 152

[1] Northern. Let them do that. I don't care [2] . Thank you.

[3] **SPEAKER:** Okay, thank you. Okay, [4] Rick?

[5] **MR. WEHRI:** Let me make just a few [6] comments. Reading this thing through, I [7] would like to know why the federal and state [8] land is so much more highly valued and . [9] This looks to me like avoiding federal [10] land wherever it could be on private land. [11] Reading through here, Section 4.11-231, 233, [12] whatever, it says: This option is — [13]

referring to Option B — most of this option [14] would impact greatly on private property [15] . However, this option would cost [16] state property, eliminating the use of [17] this land for grazing, plus this grazing on [18] state-owned land will be a significant [19] impact. As soon as it gets on state land [20] it's a significant impact. And so private [21] land is not a big deal. They say there's [22] lots of grazing land within the area, it's

Page 153

[1] abundant, it's not a big — they'd say the [2] same thing about prime farmlands in South [3] Dakota, there's a law against . [4] Just because we have that doesn't mean [5] we don't look at it, we don't analyze it, we [6] don't see what we're doing to this? That [7] doesn't make sense to me.

[8] They also talked about [9] paleontological things. As soon as you get [10] on federal ground, Forest Service, you have [11] to categorize and do all this stuff old [12] bones and everything, none of them mentioned [13] it on private land. It doesn't matter — it [14] will be publicly by the (?) Landowners [15] Advisory Board. Who is what? Appointed by [16] the DM&E. The Landowners Advisory Board, [17] anyone in this room who wanted to get on it, [18] couldn't get on it. It was a handpicked [19] group by Kevin Shieffer. Every one of them [20] people was paid by Shieffer, but they're [21] all handpicked by him to speak for him.

[22] The other representatives, when

Page 154

[1] they come and negotiate for our land and [2] threaten us to leave, do you think we have [3] anything to say about it? The Landowners [4] Advisory come in and say, you know, we're [5] going to give you \$25, take \$25 and [6] they condemn it, we get nothing, fair market [7] value, which is — well, you know .

[8] So I don't see if we go through the [9] mitigation parts of this thing, they talk [10] about — there's a little short paragraph [11] about fire. A little short paragraph about [12] landowner use all being addressed by the [13] Landowner Advisory Committee. Most of those [14] railroads are on private lands and are going [15] to be negotiated by the Landowners Advisory [16] Group and the Surface Transportation Board is [17] supposed to be testing us to make sure that [18] things are mitigated properly. It doesn't [19] say anything about how they're going to do [20] it. It doesn't say, you know, if they don't [21] then what? It just says it will be [22] negotiated by . So I don't see any

Page 155

[1] protection there and I think that needs

to be [2] addressed.

[3] **SPEAKER:** Thank you. Donnelly [4] Darnell.

[5] **MR. DARNELL:** Thank you. My name's [6] Donnelly Darnell. I'd like to speak to the [7] Forest Service amendment.

[8] Certain linear rights-of-way, such [9] as pipelines or electric line corridors, may [10] be very similar to natural conditions. [11] Railroad operations dramatically from [12] these existing uses. A Wyoming facility [13] require linear corridors, however, the impact [14] of linear corridors for rail and highway [15] transport vary greatly in use from the [16] corridors for pipeline and electric [17] lines. While all these are linear corridors, [18] railroad highway corridors are generally high [19] in and the land use varies from — land [20] use — this is a typo, I can't read it [21] straight. It says: And the land use and [22] differs from the surrounding environs. The

Page 156

[1] land use within the pipeline and electrical [2] corridors in contrast may be very similar to [3] what there is adjacent to the right-of-way. [4] Therefore, the impacts made by the different [5] corridors may be significantly [6] different. This is why their proposed [7] amendment is a very significant amendment. [8] My source, Chapter 2, Draft EIS, page 2.46, [9] and I think it speaks as eloquently to this [10] issue as I could. Thank you.

[11] **SPEAKER:** Thank you. Okay, anyone [12] else, speakers? We want to remind people [13] one process question. Do you want to [14] respond to that, Wendy?

[15] **WENDY:** We had a person that had a [16] question on process and the question is: Is [17] there going to be information publicized in [18] the rest of the country to comment on the [19] Forest Service amendment plan and if not, [20] why?

[21] The Forest Service planned [22] amendment is not — it's not like a revision

Page 157

[1] like we're working with on the national [2] grasslands plan now. There are two old [3] forest plans that are now in existence that [4] are about to be superseded by the national [5] grasslands planned revision, and that's the [6] Medicine Burrow (?) National Forest plan and [7] the Nebraska National Forest plan. Both of [8] those plans have major prescriptions for the [9] Thunder Basin and the Buffalo Gap national [10] grasslands.

[11] When we received this proposal and [12] after the analysis was completed to the draft [13] stage, we both recognized that any [14] alternative is inconsistent with both of [15] those plans. When those

plans were written, [16] they're about 15 years old now and that's why [17] they're being revised, they did not [18] contemplate a linear corridor, like a [19] railroad corridor, at the time they were [20] written. And forest plans are very often [21] revised facing changing circumstances, such [22] as the introduction of a T&E species and the

Page 158

[1] way we have to manage the land for those.

[2] As far as advertising changes to [3] the forest plans to the rest of the country, [4] we have associated the forest plan amendment [5] with the Draft EIS and the analysis that's [6] been completed, and that has been published [7] in the Federal Register and a notice of the [8] forest plan amendments have been published in [9] the Federal Register, and anybody can comment [10] on those.

[11] So we have tried to reach out and [12] get as many people involved with the forest [13] plan amendment. And frankly, I have to tell [14] you, the existing forest plans now which you [15] would be commenting on are going to be [16] superseded by the national grasslands plan [17] revision. The reason why we're still dealing [18] with the old forest plans is that we don't [19] have any forest plan decision out. And so it [20] was a question of what decision was going to [21] go first, DM&E or the grasslands plan. And I [22] will tell you that when the grasslands plan

Page 159

[1] comes out, if it's ahead of DM&E, the [2] grasslands plan will be the plan that will be [3] amended.

[4] That make sense? Probably not.

[5] (Laughter) [6] I tried, but that's as close an [7] answer I can give you right now without [8] getting too more bureaucratic. Thanks.

[9] **SPEAKER:** on a calendar when [10] the forest plan might being considered?

[11] **WENDY:** For which plan, Don? For [12] which plan?

[13] **SPEAKER:**

[14] **WENDY:** Oh, okay. In order to — [15] we would have to have a decision now on that [16] grasslands plan and we're not expecting the [17] grasslands plan to come out till January. [18] And so, you know, the likelihood of that [19] coming out ahead of — obviously it's going [20] to come out ahead of DM&E, the decision on [21] DM&E.

[22] So the likely scenario is that we

Page 160

[1] will be amending the national grasslands plan [2] revision with input if

there's an actual [3] alternative finally selected on DM&E.

[4] That answer your question, Don? [5] The forest the national grasslands plan [6] is due out in January. That's the final [7] decision and a decision.

[8] **SPEAKER:** I'm confused, but I [9] because who is going to the grasslands [10] amendment plan? Who —

[11] **WENDY:** The Forest Service. There [12] will be another process associated with the [13] grasslands plan, which will involve [14] scoping and involvement.

[15] **SPEAKER:** Not at the direction of [16] DM&E?

[17] **WENDY:** No, no, no. Yeah. No, and [18] not the Surface Transportation Board. It'll [19] be solely the responsibility of the Forest [20] Service to amend the grasslands plan. And [21] we'll initiate that plan if an action [22] alternative is determined to.

Page 161

[1] **SPEAKER:**

[2] **BONNIE:** Recommending you take it [3] offline meeting. Okay. We're going to [4] formally adjourn the meeting. I would like [5] very much to thank you all for taking the [6] time to come tonight for honoring each other, [7] listening to one another, respecting the time [8] agreements. We will be tomorrow night [9] at Rapid City and then a week from this week, [10] we'll be completing South Dakota and [11] into Minnesota.

[12] So again, thank you very much. We [13] know the weather was a little harsh today. [14] We appreciate you taking the time to come out [15] and we urge you to submit your written [16] comments before the deadline of January 5th.

[17] Thank you. Have a safe drive back [18] and a nice evening.

[19] (Whereupon, the PUBLIC MEETING [20] was adjourned.)

\$

\$1 million 126:19  
\$1.23 billion 57:4  
\$10 million 23:1  
\$110 million 22:21  
\$12 million 126:20  
\$2 94:2  
\$25 154:5, 5  
\$3 million 54:1

1

1 6:16; 7:3; 15:3; 21:8, 18;  
22:20; 50:11, 13; 68:10;  
86:6; 145:14  
1,000-acre 54:9  
1,117 127:4  
1,176 127:3  
1-5 21:8  
1.1 21:9; 145:10  
1.3 7:3  
10 34:5; 87:12  
10,000 60:19  
10-minute 80:16  
10.5 31:22  
100 19:18; 115:20;  
116:12; 120:8; 127:15  
100,000 96:16  
100-foot 51:3, 4  
11 69:1; 84:16  
118 7:3; 22:4  
13-volume 12:21  
13.5 145:11  
131 7:4  
133 86:7  
14th 78:17  
15 157:16  
1502 114:13  
1502(25 8:10  
1502.10 11:12  
1502.14(e 11:9  
1502.21 9:12  
1502.22 67:1  
1502.24 9:21  
1503.24 63:13  
16 50:13  
17 87:11  
170 60:16  
179.4 21:14  
18 73:7  
18,000 124:13  
180 19:7; 51:22; 68:18;  
88:2; 92:18; 110:12  
180-day 13:12; 24:7;  
25:5, 15; 64:4; 74:17  
1800s 95:20  
1905 42:10  
1943 42:10  
1979 151:3

1980 41:21  
1994 32:18  
1995 53:8  
1997 32:20; 48:2; 53:20  
1998 91:8  
1999 17:6; 43:1, 19  
1:00 2:2

2

2 21:17; 107:19; 156:8  
2,000 54:4  
2,200 33:13  
2-15 50:13  
2-54 48:8  
2-6 31:8  
2.46 156:8  
20 75:10; 86:6  
20.8 145:9  
200 115:20; 122:20  
2000 36:20; 60:15; 136:2  
2001 136:22  
2002 86:3  
2007 86:3  
2010 21:5  
21 60:3  
21.9 145:8  
211 22:1  
22 60:4, 5  
231 152:11  
233 152:11  
25 85:1; 147:4  
280 88:17  
29th 19:13; 64:10

3

3 5:18; 6:19; 14:13; 41:22;  
80:21; 130:4; 143:9  
3,300 53:6  
3-2 62:18  
3-A 125:13  
3.3 104:20  
30 41:19; 60:16; 63:22;  
68:14; 86:15; 110:9  
31 14:1; 38:8  
319 21:22  
32 19:12, 14  
35 42:6  
350.6 22:2  
365 125:13  
38 29:18

4

4 57:8; 62:18, 18; 138:8,  
13  
4.1-7 21:12  
4.108-114 144:1  
4.11 152:11

4.2-25 50:1  
4.4 84:4, 15; 86:7  
4.4-11 26:6; 85:5  
4.4-27 146:6  
4.4-28 145:4  
4.4-31 9:16  
4.4-41 32:17  
4.4-44 8:19; 32:20;  
134:13  
4.4-8 146:15  
4.4-9 26:4  
4.4.16-1 133:10  
40 80:19  
40-acre 50:2, 5  
404 4:15, 19; 19:10, 15,  
21; 21:19; 88:1; 103:6;  
120:4  
41 7:7, 8; 20:20; 86:1  
415 73:7  
42 8:11; 34:7  
450 111:4, 9; 112:16;  
113:3; 149:15  
46 7:8  
49 8:9

5

5 5:18, 19; 6:2, 15, 19; 7:8;  
17:6; 34:5; 75:2; 80:15;  
130:4; 135:15; 143:9  
5,000 64:1  
5,000-page 11:18  
5-minute 80:21  
5.1 115:4  
5.2.3 122:1  
50 34:8; 84:4  
500 145:6, 18, 21  
510 13:19  
530 22:1  
59 87:15; 127:5  
5th 99:14; 103:16; 161:16

6

6 21:17; 32:19; 89:10  
6,000 124:12  
648-foot 51:5  
6:00 100:4; 101:2

7

7 60:15  
70 64:6  
73 31:21  
75 21:4; 35:4  
750 16:19  
7th 45:9

8

8 54:7; 86:21  
8-foot 54:5  
80 7:5; 42:12; 51:4  
800 14:11; 54:7  
80s 96:7  
83 35:5  
848-foot 51:4  
85 73:6

9

9 87:1  
90 69:19; 87:22  
900 116:15  
92 7:20  
96 7:20  
98 31:13

A

A-L-L-E-M-A-N 135:18;  
148:12  
A-I-I-e-n 139:21  
A61 20:20  
abandon 15:11  
abbreviated 69:15  
ability 13:7; 141:21  
able 17:19; 27:21; 62:7;  
71:5; 110:10, 14; 112:5  
about-face 27:5, 10  
absence 89:17  
absolute 79:3  
absolutely 27:1; 49:18;  
136:5; 150:5  
absurd 85:8  
abundant 153:1  
accept 80:9; 99:8  
acceptable 32:2; 65:21  
accepted 80:8  
accepts 86:2  
access 48:21; 58:1, 14;  
115:12; 131:5; 132:11, 17,  
20, 21; 133:1, 5, 8  
accessible 50:6  
accident 115:8  
accidents 142:9  
accommodate 5:16;  
46:8; 150:4  
accomplish 97:16  
accomplished 97:15  
according 107:6  
accountability 93:7  
accurate 26:4  
accurately 64:3; 83:22  
achieve 77:19  
achievement 50:10  
acknowledged 5:13  
acquire 76:11

acquired 31:6  
acre 94:2  
acreage 21:13, 14  
acres 21:15, 22; 22:1, 1,  
2; 26:12; 34:14; 42:12;  
53:6; 54:4  
across 35:4; 41:13; 60:1;  
65:2; 84:18; 114:6;  
132:16; 142:19; 144:10  
Act 89:13; 90:1  
action 8:12, 14, 16, 17;  
77:5; 90:10; 160:21  
actions 114:19  
actively 71:19  
activity 133:20  
actual 118:6; 160:2  
actually 5:2; 34:17; 58:8,  
11; 62:22; 73:14; 80:14;  
82:9; 92:7; 141:3, 8, 9  
add 13:1; 119:7  
addition 6:7; 13:8; 15:13;  
16:16; 85:4  
additional 19:7; 33:8;  
46:22; 48:20; 83:17, 21;  
110:12; 121:17; 130:4, 13,  
15; 151:13  
Additionally 136:14  
additions 71:6  
address 2:5; 7:1; 24:18,  
22; 29:7; 32:4; 89:15;  
110:4; 139:10  
addressed 60:22; 61:6;  
62:5; 89:13; 90:2; 131:19;  
142:2; 154:12; 155:2  
addressing 38:2  
adequacy 4:11; 7:2  
adequate 70:2, 9;  
117:19, 20; 120:11  
adequately 89:15; 90:1  
adjacent 144:19; 156:3  
adjectives 116:13  
adjourn 161:4  
adjourned 161:20  
adjudicated 42:9  
advance 48:10  
advantages 17:18  
adverse 107:20  
advertising 158:2  
advisory 46:14; 85:13,  
16; 106:17; 153:15, 16;  
154:4, 13, 15  
affect 62:4  
affected 21:21; 23:22;  
32:2; 47:5; 98:3  
affects 108:18  
affirm 79:11  
afraid 126:1  
afternoon 12:15; 75:5;  
101:19  
afterwards 20:10  
ag 83:4; 118:9  
again 3:1; 5:14; 6:4, 18;  
9:21; 11:20; 12:1, 7; 30:1;  
43:13; 44:13; 49:3; 90:4, 9;

100:4, 5; 102:6; 104:16;  
121:7, 19; 123:1, 7; 124:3;  
129:11; 130:16, 19;  
131:19; 133:11; 134:10;  
143:13; 146:10; 148:10;  
161:12  
**against** 55:19; 94:8;  
103:9; 153:3  
**agencies** 2:5, 21; 3:14,  
22; 26:19, 22; 27:8; 28:10;  
35:20; 53:2; 83:5  
**agency** 26:20; 63:14;  
101:8; 102:22; 103:17;  
114:19  
**agenda** 5:11  
**agent** 151:5  
**ago** 35:4; 41:22; 43:6;  
46:2; 58:3; 59:9; 127:15;  
141:14  
**agree** 33:15; 83:3;  
126:16; 128:2  
**agreeable** 3:4  
**agreed** 85:20; 128:17  
**agreement** 4:14; 54:22;  
151:22  
**agreements** 2:22; 25:10;  
31:22; 32:2; 161:8  
**agricultural** 13:4; 89:2  
**Agriculture** 56:14, 18;  
66:20  
**agriculture/economic**  
53:10  
**ahead** 105:1; 137:2;  
143:13; 148:9; 159:1, 19,  
20  
**aide** 5:6  
**aides** 5:5  
**air** 13:14; 15:5; 34:18;  
62:2; 74:11; 89:7, 8, 13,  
16, 17; 90:18; 98:20;  
106:8, 11, 12; 107:22;  
110:18; 112:1; 122:8, 19;  
123:8; 128:21; 131:10  
**airplane** 88:17  
**Al** 82:22  
**Albuquerque** 99:5  
**ALLEMAN** 135:17, 17;  
138:19; 148:12  
**Allemoni** 135:13  
**Allen** 139:14  
**alleviate** 41:5  
**allotted** 19:10  
**allow** 55:3; 60:21; 140:14;  
141:9  
**allowed** 9:11; 69:7; 113:5  
**allowing** 47:3; 53:3  
**almost** 22:10; 99:22  
**alone** 137:15  
**along** 28:12; 41:20;  
47:22; 53:7; 56:19; 70:5, 7;  
71:4; 81:10; 84:20; 87:8;  
88:17; 96:15; 102:7, 10;  
108:13; 111:20; 116:2;  
117:15; 127:20; 129:4;  
131:6; 132:13; 145:5;

146:18; 147:3  
**alongside** 133:4  
**alphabetize** 20:8  
**alternate** 132:7; 133:1  
**alternative** 10:11; 11:5,  
10; 15:6; 20:17; 32:22;  
33:1, 1; 38:7; 40:22; 41:2,  
3; 47:6; 50:14, 16; 51:6;  
54:5; 62:15, 15; 67:11, 16;  
75:15; 87:9; 88:20; 89:22;  
90:10; 92:13, 21, 22;  
118:6, 12, 19; 121:5;  
145:1, 5, 6, 8, 9, 10, 13, 17;  
148:17, 18; 151:21;  
157:14; 160:3, 22  
**alternatives** 15:4; 16:4;  
48:9; 114:15; 146:18  
**Although** 30:18; 105:13;  
110:3; 114:7; 136:11  
**amazed** 141:11  
**amend** 160:20  
**amended** 143:19; 159:3  
**amending** 160:1  
**amendment** 64:16;  
76:18; 78:14, 18; 144:8;  
155:7; 156:7, 7, 19, 22;  
158:4, 13; 160:10  
**amendments** 4:21;  
158:8  
**America** 77:12, 15; 80:7;  
93:6  
**American** 77:2; 78:8, 10;  
95:18; 102:6  
**among** 77:1; 122:15  
**amount** 16:9; 17:12;  
25:16; 63:21; 86:19;  
95:18; 117:3  
**analyses** 63:16  
**analysis** 4:2; 15:7; 63:18;  
89:17; 91:6; 114:12;  
116:14; 122:1; 157:12;  
158:5  
**analyze** 153:5  
**Anderson** 119:19, 20;  
130:12, 20, 20; 131:1, 4;  
135:10  
**Animal** 46:2, 11  
**animals** 24:21; 105:17;  
126:7  
**Ann** 82:5; 94:20; 109:16,  
19, 22; 114:1  
**Anna** 125:6, 9  
**Anne** 52:21, 21, 21  
**Annie** 53:5  
**annoyance** 116:5  
**apart** 149:18; 151:19, 20  
**appeal** 70:15  
**appear** 17:21; 87:7  
**appeared** 120:20  
**appears** 15:6; 67:16;  
72:10; 121:19  
**appendix** 13:16; 14:1,  
13; 16:12; 17:3; 86:1, 21  
**applicant** 47:21; 67:13;  
71:3, 10; 74:4, 7; 120:22;

121:1, 21; 144:15  
**applicant's** 17:17; 29:20;  
48:11; 86:2; 121:8  
**applicant-driven** 91:1, 2  
**applicants** 17:16  
**application** 15:10; 19:11,  
21; 21:19; 103:6  
**applications** 4:16, 19;  
69:17  
**apply** 10:18  
**Appointed** 153:15  
**appointment** 104:21, 22  
**appreciate** 29:16; 37:19;  
82:7; 100:1; 139:16;  
161:14  
**appropriate** 10:5  
**approved** 3:9; 56:22  
**approximately** 14:6;  
53:6, 16; 54:7; 107:19  
**April** 36:20  
**arbitrary** 79:3  
**archaeologists** 55:8  
**archeological** 43:14, 17,  
21; 98:17  
**area** 2:16; 10:2; 16:2;  
26:8, 14; 27:4; 31:17; 35:3;  
42:11, 14; 44:9; 50:8;  
54:13, 14; 56:3; 59:1; 61:4;  
67:21; 72:2; 74:12; 84:5;  
85:2, 7; 93:22; 96:12;  
98:16; 102:9; 110:2, 3;  
112:3, 7; 113:8; 117:11;  
122:12; 124:20; 127:13,  
19; 132:9; 137:2, 4; 140:1,  
20; 141:5, 8; 145:19, 19,  
19, 21; 146:1, 17; 152:22  
**areas** 4:9; 14:17; 21:2;  
34:16, 17; 74:15; 102:7;  
108:9; 110:15; 116:17;  
123:21; 140:20; 141:1, 2,  
20; 146:4, 20  
**Arizona** 111:17  
**arms** 39:8  
**Army** 4:17; 21:20; 69:10;  
87:20  
**around** 34:20; 48:3, 6,  
22; 88:10; 103:9; 126:14  
**arrived** 41:22  
**arteries** 67:20  
**Article** 78:20  
**articles** 128:1  
**ashamed** 22:15  
**aspect** 131:12  
**aspects** 47:19  
**Aspen** 128:19  
**asserted** 40:11  
**assertion** 14:20; 146:5,  
11  
**assertions** 21:7; 62:19,  
20; 63:17; 91:3  
**asserts** 146:6  
**assessing** 114:18  
**assessment** 4:15  
**assets** 95:22

**assist** 3:1  
**associated** 32:5; 158:4;  
160:12  
**Association** 50:19;  
86:12  
**assume** 40:10; 86:15;  
123:16  
**assuming** 41:1  
**assumption** 111:7  
**assumptions** 20:22;  
21:7; 28:6, 12, 13  
**atmosphere** 141:7  
**atmospheric** 122:21  
**attached** 125:15  
**attempt** 77:19  
**attempting** 45:7  
**attempts** 121:16  
**attend** 62:7  
**attract** 146:17  
**attributed** 7:7  
**audience** 103:1; 136:18  
**authority** 21:6  
**authorized** 106:19  
**available** 9:9, 14; 13:16;  
14:4, 12; 16:15; 19:17;  
20:18; 50:15, 21; 66:8, 12,  
14; 67:2; 110:19; 120:5,  
13; 134:5; 137:11  
**average** 14:10; 50:22  
**avoid** 31:10  
**avoiding** 152:9  
**awarded** 10:10  
**aware** 37:15  
**away** 14:16; 32:15; 38:21;  
55:7; 56:18; 60:12; 72:17;  
87:22; 108:16; 135:5

## B

**B** 15:4; 16:4; 50:16; 51:6;  
83:17; 145:6; 152:13  
**B&N** 124:6  
**B&S** 57:8  
**B&SF** 136:3  
**back** 3:10; 9:19; 11:22;  
20:11; 34:21; 39:8; 45:3;  
59:14, 19; 62:16; 70:20;  
80:20; 89:20; 94:1; 96:5, 8;  
99:2; 100:4; 101:20;  
106:6; 123:5; 130:11;  
136:5, 16; 138:6; 144:3;  
161:17  
**backs** 125:15  
**backwards** 26:21  
**bad** 39:12; 93:9; 136:13;  
140:11  
**Badlands** 84:10; 89:8, 10  
**bag** 16:16  
**Bailey** 5:6  
**balanced** 91:4, 12  
**ballast** 52:6  
**Barbara** 5:7  
**barge** 17:13, 19  
**barging** 17:22  
**barriers** 111:20  
**base** 41:9  
**based** 2:15; 68:12; 91:3,  
7; 118:17; 121:19, 19;  
134:18  
**baseline** 122:15, 19  
**basic** 77:1, 7  
**basically** 52:10; 122:8  
**basin** 7:18; 8:3, 13;  
14:16, 22; 16:19; 46:5;  
50:20; 71:16; 121:18;  
122:4; 137:1, 8; 144:11;  
157:9  
**basis** 13:17; 28:6; 51:9;  
96:18  
**became** 93:15  
**become** 36:14; 65:9, 16  
**becomes** 129:1  
**bed-and-breakfast**  
53:15  
**beef** 53:9, 18  
**beeper** 104:5  
**begin** 25:17  
**beginning** 54:18; 85:21;  
129:17; 135:14  
**begun** 25:13  
**behalf** 36:1; 68:16; 75:9;  
113:13  
**behind** 21:11; 49:2  
**Belair** 151:7  
**belongs** 42:5  
**Ben** 57:18  
**bending** 26:21  
**beneficial** 2:16; 3:3;  
51:12  
**benefit** 30:22; 38:9;  
71:15; 92:8; 134:7; 151:16  
**benefits** 36:3; 147:8, 16  
**benefitting** 90:20  
**Berkley** 103:1  
**beside** 113:1  
**best** 32:12  
**bet** 32:13  
**better** 15:17, 20; 40:5;  
46:16; 58:9, 12, 14, 15;  
73:1; 113:6; 127:15;  
144:4; 148:17; 150:11  
**beyond** 6:3  
**bias** 115:6  
**bid** 135:3  
**big** 52:12, 17; 55:1; 91:19;  
96:12; 113:20; 117:2;  
142:3, 3, 8; 152:21; 153:1  
**biggest** 85:11; 108:12  
**Bill** 76:16; 112:22  
**biological** 4:14; 61:17  
**birds** 24:20; 143:22  
**bisect** 54:13  
**bit** 3:13; 5:10; 27:21;  
29:21; 31:2; 33:14; 105:4;  
110:11; 117:5  
**black** 49:20; 52:13, 16;

56:19; 108:15; 110:21; 128:21; 129:3 <b>black-footed</b> 10:21 <b>blame</b> 7:12 <b>blasting</b> 112:3 <b>blatant</b> 84:2 <b>blend</b> 23:20 <b>blind</b> 123:1 <b>BLM</b> 91:10; 93:16, 16; 94:4 <b>blocked</b> 132:5, 10, 21 <b>BN</b> 122:20, 22; 148:15 <b>BNSF</b> 136:13; 137:4 <b>BNUP</b> 122:2 <b>board</b> 12:17; 22:12; 28:7; 30:18; 46:14, 15, 17; 47:19; 66:1; 81:13, 16, 20; 82:1; 85:17; 89:21; 99:19; 101:18; 106:21; 125:8, 12; 126:4; 142:22; 153:15, 16; 154:16; 160:18 <b>Bobcat</b> 42:8 <b>bodies</b> 76:4 <b>boggles</b> 26:15 <b>boils</b> 148:13 <b>bolstering</b> 56:3 <b>bones</b> 153:12 <b>Bonnie</b> 3:11, 13; 11:1, 3, 20; 17:14; 18:18, 21; 19:1, 3; 23:8; 24:10; 25:8; 28:17; 20; 29:2; 32:7; 33:7; 35:11; 37:21; 41:16; 44:20; 45:16; 47:8; 51:16; 52:19; 57:17; 58:17; 62:6; 66:17; 68:4; 75:1; 78:22; 80:14; 81:7; 88:5, 8; 91:22; 93:12; 94:13; 98:13; 99:11; 101:3; 109:15, 18; 129:21; 130:15, 22; 131:3; 135:9, 13; 139:19; 143:7, 13; 148:3; 161:2 <b>boombox</b> 57:11 <b>Bor-jelly</b> 109:17 <b>Borg-ee-all-ee</b> 109:16 <b>Borgialli</b> 109:18; 114:2 <b>both</b> 10:12; 15:7; 42:20; 43:15; 63:7; 65:10; 69:16; 88:1; 92:18; 95:15; 138:1; 144:11; 157:7, 13, 14 <b>bothered</b> 93:20 <b>bottleneck</b> 122:3 <b>bottlenecks</b> 48:22 <b>bought</b> 41:21 <b>boundary</b> 128:14 <b>box</b> 103:14 <b>branch</b> 22:14 <b>brand</b> 138:12 <b>break</b> 12:10; 80:16, 20; 81:4 <b>breaking</b> 116:2 <b>breaks</b> 10:15 <b>breathe</b> 61:2; 89:7; 126:5 <b>bridge</b> 35:22; 102:13, 14 <b>briefly</b> 49:10; 55:11	<b>bring</b> 36:17; 58:22; 99:2; 108:20; 127:3; 135:12 <b>bringing</b> 150:19 <b>brings</b> 38:7; 57:4; 146:22 <b>broadened</b> 53:11 <b>brother</b> 42:5; 43:15 <b>brought</b> 6:8; 20:13 <b>BSF</b> 63:8 <b>Buffalo</b> 102:4; 157:9 <b>build</b> 25:4; 33:5; 46:22; 54:7; 56:5; 140:15; 142:14, 15 <b>building</b> 81:11; 107:16; 144:10 <b>built</b> 34:1; 46:3; 47:4; 48:6; 58:13; 60:17; 61:11; 67:6; 85:1; 108:9; 115:2 <b>bunch</b> 33:22; 40:3 <b>burden</b> 69:2 <b>Bureau</b> 75:7, 10, 14 <b>bureaucratic</b> 159:8 <b>Burlington</b> 16:17; 128:9; 135:22; 151:22 <b>burn</b> 35:1 <b>Burrow</b> 157:6 <b>burrowing</b> 52:16 <b>bus</b> 111:2 <b>busiest</b> 13:3; 68:21 <b>business</b> 24:2; 28:3; 36:13; 37:1; 53:12; 56:14, 16; 58:6; 71:20; 72:9; 84:13; 85:12; 107:21; 116:20; 126:12; 127:12; 136:16; 146:22; 147:2; 150:19, 20 <b>businesses</b> 15:21; 23:21; 55:18; 59:14; 70:16; 71:6; 72:11; 117:1; 137:4; 146:17; 151:1 <b>businesspeople</b> 68:19 <b>busy</b> 28:1; 42:1; 88:10 <b>bypass</b> 40:1 <b>bypasses</b> 39:18, 20; 126:14	18; 10:6; 12:8, 11; 13:15; 22:9; 24:22; 28:15, 17; 32:13; 33:11; 38:9, 14, 15, 20; 39:9, 14; 40:15; 45:16; 47:8; 49:4; 55:21; 56:12; 57:10, 14; 58:7; 65:11; 69:16; 71:1; 72:5; 75:2; 80:21; 81:2, 7; 83:8, 9, 21; 87:17; 89:8; 92:20; 93:22; 95:21; 99:2, 6, 22; 103:13, 15; 104:11; 108:21; 112:15, 21; 115:3; 117:12; 119:7; 124:5; 127:17; 128:3, 9, 20; 130:7; 131:8; 132:5; 141:9; 144:3, 15; 146:13; 148:10; 149:8, 17, 18; 151:9; 158:9; 159:7 <b>Canadian</b> 61:6 <b>cancer</b> 126:9; 137:17 <b>candidate</b> 10:9, 11, 18 <b>Canyon</b> 51:19 <b>capacity</b> 21:3; 121:18; 124:11, 13 <b>capital</b> 137:11 <b>capture</b> 130:8 <b>card</b> 12:8 <b>care</b> 61:12, 13; 138:14; 148:15; 152:1 <b>carefully</b> 129:11 <b>Carolyn</b> 25:10; 28:17; 29:4 <b>carried</b> 45:13 <b>carrier</b> 92:11 <b>carriers</b> 7:17; 8:3; 41:13 <b>carry</b> 138:17 <b>cars</b> 16:22; 151:4 <b>case</b> 14:4, 8; 81:21; 122:7; 134:6 <b>casement</b> 55:2 <b>cases</b> 3:1; 147:16 <b>Cassens</b> 52:21; 53:1, 5 <b>categorize</b> 153:11 <b>category</b> 87:10 <b>cattle</b> 46:11; 53:9; 60:13; 95:21; 107:22; 127:11; 149:19, 20 <b>cause</b> 70:12; 126:9; 142:4 <b>caused</b> 125:17 <b>causes</b> 84:22 <b>causing</b> 31:12; 126:21 <b>CD</b> 66:14 <b>CD-ROM</b> 87:19 <b>CEM</b> 13:22; 14:3, 15, 20 <b>cement</b> 63:5 <b>center</b> 112:12; 144:11 <b>central</b> 102:7 <b>certain</b> 122:21; 123:4; 155:8 <b>certainly</b> 81:14; 83:20; 95:2, 10; 99:7, 13; 131:10; 136:11 <b>certified</b> 52:5, 5, 7, 9 <b>Chad</b> 29:5; 41:20; 42:9, 19, 22; 43:6	<b>chairman</b> 125:7, 11 <b>challenge</b> 51:10 <b>challenged</b> 75:19 <b>challenges</b> 36:21 <b>Chamber</b> 36:21 <b>chance</b> 57:1; 117:15; 129:8; 131:2 <b>change</b> 16:20; 57:12, 16; 97:10; 114:1 <b>changed</b> 104:22; 105:1; 134:17 <b>changes</b> 57:15; 96:15; 131:7; 158:2 <b>changing</b> 46:7; 157:21 <b>channel</b> 146:10 <b>Chapter</b> 7:3; 21:8; 62:18; 156:8 <b>chapters</b> 66:5 <b>characteristics</b> 102:3 <b>characterize</b> 118:15 <b>charge</b> 80:5 <b>charged</b> 79:22 <b>chart</b> 18:13; 84:19 <b>charts</b> 23:16, 20; 49:17; 72:16; 84:17; 87:3 <b>cheap</b> 78:6, 8, 9, 9, 10 <b>checkerboard</b> 144:14 <b>cheerleading</b> 147:6 <b>Cheyenne</b> 16:4; 60:6; 61:7; 88:21; 90:3; 124:19; 145:5, 7 <b>Chicago</b> 86:13 <b>chief</b> 122:14; 136:3 <b>child</b> 111:1 <b>Childers</b> 57:18 <b>children</b> 41:12; 127:22 <b>choose</b> 132:7 <b>chosen</b> 50:12 <b>Christmas</b> 13:10 <b>circumstances</b> 54:20; 157:21 <b>cite</b> 8:11 <b>cites</b> 120:19 <b>cities</b> 94:7; 126:15, 15, 17; 150:7, 16 <b>citizen</b> 78:11 <b>citizens</b> 12:18; 66:2; 68:19; 77:11; 78:5; 79:20; 92:9 <b>City</b> 45:5, 6; 69:20; 79:7; 99:3; 120:8, 10; 135:4; 161:9 <b>civic</b> 69:22 <b>civil</b> 76:6, 14, 15; 80:4 <b>Clara</b> 41:16, 18 <b>clarified</b> 95:9 <b>class</b> 15:3; 55:17 <b>clean</b> 34:18; 89:7, 13; 90:1; 106:12; 128:8 <b>clear</b> 89:22; 110:8; 131:5 <b>clearly</b> 12:6; 130:8 <b>clock</b> 130:21 <b>close</b> 98:9; 116:21;	121:22; 140:21; 150:18; 159:6 <b>closed</b> 142:18 <b>closer</b> 73:3; 110:5; 125:10 <b>closest</b> 15:2; 33:20, 20, 21; 34:14; 64:7; 120:7 <b>closing</b> 32:21; 37:12; 61:21 <b>closure</b> 36:7 <b>clouds</b> 112:4 <b>co-worker</b> 44:12, 19 <b>coal</b> 7:17; 16:6, 9, 16, 21; 17:2, 12, 19; 37:9, 9, 10; 43:10; 46:4; 47:1; 48:15, 18; 56:6, 8; 60:21; 70:19; 71:20; 84:11; 88:19, 20; 90:17; 92:4; 108:4, 6; 109:9; 122:3, 9, 22; 123:14; 126:2; 128:5, 18, 20, 22; 129:1, 1, 4, 4; 131:14; 136:12, 14, 21; 147:1; 148:20; 151:2, 15 <b>coal-fired</b> 21:2 <b>coal-hauling</b> 71:19 <b>Coast</b> 18:11 <b>code</b> 63:13 <b>coincide</b> 69:12 <b>Cole</b> 23:9, 10; 24:10 <b>colleagues</b> 81:15 <b>collected</b> 16:17 <b>colonies</b> 10:12 <b>color</b> 73:2 <b>combination</b> 112:8 <b>comfortable</b> 59:4 <b>coming</b> 3:2; 48:3; 52:6, 7, 9; 88:9; 105:8; 128:20; 136:4; 143:6; 149:5; 159:19 <b>comment</b> 7:2; 9:11; 10:21; 11:4, 5, 12; 12:6, 19; 13:2, 10, 12, 15; 19:8, 12; 20:19; 24:7; 25:6; 28:16; 47:12; 53:3; 55:11, 12; 68:14, 17, 19, 22; 69:1, 10, 12, 13, 14; 74:18, 18; 83:22; 88:1; 92:18; 99:15; 101:6; 103:12, 13; 107:10; 110:8; 156:18; 158:9 <b>commenting</b> 2:12; 70:3; 158:15 <b>comments</b> 2:13; 3:12, 14, 15, 16, 19; 4:1, 4, 7, 11, 20, 22; 5:18; 6:2, 4, 5, 7, 17, 19; 7:1; 12:2, 22; 13:1; 16:13, 14; 17:3; 18:5, 13, 20; 23:6; 24:9; 25:7, 11; 27:12; 33:8; 42:2; 52:10; 68:11; 69:16; 75:8; 82:9, 19; 86:9; 99:13, 20; 100:5; 101:15; 103:10, 10, 12, 18, 20; 104:1, 3; 114:7; 120:2, 16; 128:2; 135:19; 143:2; 152:6; 161:16 <b>Commerce</b> 36:21 <b>commercial</b> 116:18; 146:20
---	--	---	--	--

**C**

**C** 15:5; 16:4; 20:17; 41:3;  
50:16; 83:18; 88:20;  
89:22; 145:1, 8, 13, 17;  
148:17  
**C-75** 49:10  
**calculated** 10:17  
**calendar** 159:9  
**call** 22:11; 44:18; 45:3;  
133:15; 150:19  
**called** 4:2; 45:2; 104:19,  
22; 105:5; 150:21  
**calls** 21:15  
**came** 46:6; 85:10; 95:17,  
19; 96:8; 138:6, 14; 151:2  
**Campbell** 73:10; 127:6;  
150:9; 151:18  
**can** 3:7; 4:4; 6:9, 10, 17,

**caused** 125:17  
**causes** 84:22  
**causing** 31:12; 126:21  
**CD** 66:14  
**CD-ROM** 87:19  
**CEM** 13:22; 14:3, 15, 20  
**cement** 63:5  
**center** 112:12; 144:11  
**central** 102:7  
**certain** 122:21; 123:4;  
155:8  
**certainly** 81:14; 83:20;  
95:2, 10; 99:7, 13; 131:10;  
136:11  
**certified** 52:5, 5, 7, 9  
**Chad** 29:5; 41:20; 42:9,  
19, 22; 43:6

**chairman** 125:7, 11  
**challenge** 51:10  
**challenged** 75:19  
**challenges** 36:21  
**Chamber** 36:21  
**chance** 57:1; 117:15;  
129:8; 131:2  
**change** 16:20; 57:12, 16;  
97:10; 114:1  
**changed** 104:22; 105:1;  
134:17  
**changes** 57:15; 96:15;  
131:7; 158:2  
**changing** 46:7; 157:21  
**channel** 146:10  
**Chapter** 7:3; 21:8; 62:18;  
156:8  
**chapters** 66:5  
**characteristics** 102:3  
**characterize** 118:15  
**charge** 80:5  
**charged** 79:22  
**chart** 18:13; 84:19  
**charts** 23:16, 20; 49:17;  
72:16; 84:17; 87:3  
**cheap** 78:6, 8, 9, 9, 10  
**checkerboard** 144:14  
**cheerleading** 147:6  
**Cheyenne** 16:4; 60:6;  
61:7; 88:21; 90:3; 124:19;  
145:5, 7  
**Chicago** 86:13  
**chief** 122:14; 136:3  
**child** 111:1  
**Childers** 57:18  
**children** 41:12; 127:22  
**choose** 132:7  
**chosen** 50:12  
**Christmas** 13:10  
**circumstances** 54:20;  
157:21  
**cite** 8:11  
**cites** 120:19  
**cities** 94:7; 126:15, 15,  
17; 150:7, 16  
**citizen** 78:11  
**citizens** 12:18; 66:2;  
68:19; 77:11; 78:5; 79:20;  
92:9  
**City** 45:5, 6; 69:20; 79:7;  
99:3; 120:8, 10; 135:4;  
161:9  
**civic** 69:22  
**civil** 76:6, 14, 15; 80:4  
**Clara** 41:16, 18  
**clarified** 95:9  
**class** 15:3; 55:17  
**clean** 34:18; 89:7, 13;  
90:1; 106:12; 128:8  
**clear** 89:22; 110:8; 131:5  
**clearly** 12:6; 130:8  
**clock** 130:21  
**close** 98:9; 116:21;

121:22; 140:21; 150:18;  
159:6  
**closed** 142:18  
**closer** 73:3; 110:5;  
125:10  
**closest** 15:2; 33:20, 20,  
21; 34:14; 64:7; 120:7  
**closing** 32:21; 37:12;  
61:21  
**closure** 36:7  
**clouds** 112:4  
**co-worker** 44:12, 19  
**coal** 7:17; 16:6, 9, 16, 21;  
17:2, 12, 19; 37:9, 9, 10;  
43:10; 46:4; 47:1; 48:15,  
18; 56:6, 8; 60:21; 70:19;  
71:20; 84:11; 88:19, 20;  
90:17; 92:4; 108:4, 6;  
109:9; 122:3, 9, 22;  
123:14; 126:2; 128:5, 18,  
20, 22; 129:1, 1, 4, 4;  
131:14; 136:12, 14, 21;  
147:1; 148:20; 151:2, 15  
**coal-fired** 21:2  
**coal-hauling** 71:19  
**Coast** 18:11  
**code** 63:13  
**coincide** 69:12  
**Cole** 23:9, 10; 24:10  
**colleagues** 81:15  
**collected** 16:17  
**colonies** 10:12  
**color** 73:2  
**combination** 112:8  
**comfortable** 59:4  
**coming** 3:2; 48:3; 52:6, 7,  
9; 88:9; 105:8; 128:20;  
136:4; 143:6; 149:5;  
159:19  
**comment** 7:2; 9:11;  
10:21; 11:4, 5, 12; 12:6,  
19; 13:2, 10, 12, 15; 19:8,  
12; 20:19; 24:7; 25:6;  
28:16; 47:12; 53:3; 55:11,  
12; 68:14, 17, 19, 22; 69:1,  
10, 12, 13, 14; 74:18, 18;  
83:22; 88:1; 92:18; 99:15;  
101:6; 103:12, 13; 107:10;  
110:8; 156:18; 158:9  
**commenting** 2:12; 70:3;  
158:15  
**comments** 2:13; 3:12,  
14, 15, 16, 19; 4:1, 4, 7, 11,  
20, 22; 5:18; 6:2, 4, 5, 7,  
17, 19; 7:1; 12:2, 22; 13:1;  
16:13, 14; 17:3; 18:5, 13,  
20; 23:6; 24:9; 25:7, 11;  
27:12; 33:8; 42:2; 52:10;  
68:11; 69:16; 75:8; 82:9,  
19; 86:9; 99:13, 20; 100:5;  
101:15; 103:10, 10, 12, 18,  
20; 104:1, 3; 114:7; 120:2,  
16; 128:2; 135:19; 143:2;  
152:6; 161:16  
**Commerce** 36:21  
**commercial** 116:18;  
146:20

**Commission** 14:10  
**commissioner** 79:16  
**commissioners** 79:8  
**commit** 114:14  
**committee** 82:14; 85:13; 106:17; 154:13  
**commodities** 49:8, 13; 89:3  
**common** 20:2; 72:8; 134:4  
**commonly** 72:7  
**communicate** 132:6  
**communication** 132:3  
**communities** 2:20; 29:22; 32:3; 36:22; 37:16; 39:19, 21; 40:6; 56:1; 102:8, 19; 118:9  
**community** 35:17; 36:2, 19; 38:4; 59:17; 65:6; 75:18; 82:16; 95:1  
**companies** 14:20; 37:9  
**company** 65:13; 71:15; 75:20; 135:22  
**compare** 69:22  
**comparison** 64:21  
**comparisons** 84:19  
**compelling** 11:15, 17  
**compensated** 61:22; 109:3  
**compensation** 54:1  
**compete** 71:20; 74:10  
**competition** 86:9  
**complained** 122:11  
**complete** 19:18; 37:8; 64:7; 69:21; 74:14; 89:17; 120:7  
**completed** 36:8; 67:5; 157:12; 158:6  
**completely** 23:5; 51:8  
**completing** 161:10  
**complexity** 35:18  
**complication** 136:9  
**comprehend** 25:18  
**computer** 66:16  
**concentrations** 123:14  
**concern** 29:17; 42:7, 7; 52:12, 17; 70:6, 19; 108:7; 110:22; 111:13; 112:1; 128:17; 141:19; 142:21  
**concerned** 29:8; 34:13; 43:10; 55:16; 74:11; 113:21  
**concerns** 2:6; 7:3; 29:6; 38:2; 47:14; 55:8; 102:6; 105:15; 110:15; 140:2, 4  
**conclude** 65:12  
**conclusion** 8:7; 48:7; 74:16; 92:13  
**conclusions** 9:6; 10:4; 28:5  
**condemn** 154:6  
**conditions** 68:9; 110:2; 117:10; 122:21; 123:4; 155:10

**confirm** 28:18  
**confronted** 138:5  
**confused** 160:8  
**confusing** 64:11; 91:1; 144:2  
**congestion** 37:11; 123:13  
**Congress** 30:19, 21  
**conjunction** 43:2  
**connector** 58:4  
**conscience** 65:14  
**consensus** 3:2  
**consequence** 132:18  
**consequences** 118:8; 121:6  
**Conservation** 14:9  
**consider** 40:15; 94:6; 98:22; 106:14  
**consideration** 10:17; 77:3; 124:20; 133:21  
**considered** 3:7; 15:13; 51:11; 54:19; 72:11; 76:20; 87:10; 90:6; 98:1, 15; 106:22; 124:15; 147:20; 159:10  
**considering** 54:22  
**considers** 47:19  
**consistent** 76:1, 3  
**constants** 118:13  
**constituents** 68:17; 69:18  
**Constitution** 76:16, 19, 20; 77:14, 15; 78:1, 5, 7, 15; 79:2, 13, 14; 80:6, 10  
**constitutional** 75:17  
**construct** 48:20; 102:14  
**construction** 9:18; 10:16; 26:9; 30:22; 62:3; 65:1; 66:7; 75:12; 85:8; 88:18; 101:9, 9; 102:10, 18, 19; 106:4; 116:15; 127:7; 133:9, 19; 134:9, 22; 146:13  
**constructive** 4:6  
**consultants** 121:1  
**consulted** 31:9  
**contact** 43:18; 99:17  
**contacted** 107:2  
**contain** 69:20; 108:11  
**contained** 4:13  
**contaminant** 123:18  
**contaminants** 123:16  
**contemplate** 157:18  
**contend** 113:2  
**content** 84:1  
**contents** 20:4  
**continue** 36:11; 55:3; 83:5; 92:2; 136:20; 137:18  
**continued** 37:4; 48:14  
**continues** 55:22  
**continuing** 70:17  
**contract** 55:9; 57:21; 139:8

**contrast** 156:2  
**contributors** 96:20  
**control** 57:11; 93:18; 139:12  
**convenient** 83:3  
**convergence** 51:7  
**Converse** 97:8; 150:7  
**conversion** 26:8; 85:7; 117:3  
**convince** 46:18; 137:7  
**cooler** 136:8  
**cooperate** 26:21; 85:20  
**cooperating** 28:10; 35:19; 53:2, 19  
**cooperation** 43:8  
**cooperative** 57:20; 58:1  
**coordinate** 2:4; 26:19  
**copied** 128:1  
**copiers** 69:4  
**copies** 6:8, 8; 69:1, 21; 128:4  
**copy** 12:21; 19:18; 38:15; 64:7; 70:1  
**copyrighted** 45:2  
**Corby** 52:20  
**core** 21:2  
**corn** 56:10  
**corner** 15:2; 48:3; 54:12; 60:2, 3, 4, 4, 5  
**corners** 74:7  
**Corps** 4:17; 20:16; 21:20; 69:11, 17; 72:22; 73:9; 74:18; 87:21; 90:6; 92:20; 120:2, 12; 149:14  
**corrected** 50:9  
**correctly** 20:15; 122:2  
**corridor** 116:22; 136:21; 157:18, 19  
**corridors** 147:2; 155:9, 13, 14, 16, 17, 18; 156:2, 5  
**cost** 40:7; 67:5; 74:8; 84:17; 92:9; 109:12; 125:15; 126:14, 19, 21; 149:11; 150:6; 152:15  
**cost-share** 32:14  
**costs** 24:4, 4, 4, 4, 5; 25:2; 32:5, 13; 86:8; 90:19; 127:1; 128:17; 134:3; 147:8, 9, 9  
**Council** 52:1; 79:16; 119:1  
**councils** 79:7  
**counties** 32:15; 134:5; 150:11, 16; 151:18  
**country** 24:21; 34:2; 35:1; 38:9; 83:8; 96:2; 136:9; 156:18; 158:3  
**county** 8:20; 12:16; 21:13; 32:10; 36:9; 39:6; 42:19, 20; 43:3; 53:7; 59:18; 61:15; 72:22; 73:4, 6, 6, 8, 8, 10, 11; 75:7, 14; 79:8; 86:20; 87:12; 97:7, 8, 8; 126:11; 127:5, 6, 6, 13, 19; 128:14, 16; 142:16;

150:6, 7, 7, 8, 9, 9  
**couple** 16:11; 32:16; 131:17; 151:9  
**court** 93:7; 133:17  
**courteous** 129:18  
**cow** 138:10, 12, 13  
**cows** 138:8  
**crack** 116:1, 5  
**create** 90:18  
**created** 51:15  
**Creating** 36:4; 37:1; 43:13; 56:2; 127:1  
**creation** 37:6  
**creative** 76:8  
**Creek** 42:8; 44:4; 46:2, 11; 51:7; 53:8; 55:7; 114:1; 150:21  
**creeks** 108:15  
**crew** 131:7  
**crop** 30:10; 31:2  
**crops** 87:11  
**cross** 39:8; 42:4; 73:17; 107:18; 127:14; 143:17  
**crosses** 16:3  
**crossing** 17:1; 31:11; 86:22; 87:6; 125:19; 132:5; 142:12, 13  
**crossings** 39:5, 6, 12; 41:11, 15; 110:17, 20; 132:16; 142:9, 11, 16, 19; 146:7; 150:11, 14, 17  
**CRRM** 43:1  
**Cubin's** 5:7  
**cultural** 13:9  
**culture** 77:2  
**cumulative** 89:14; 90:5, 15; 144:18  
**current** 15:9, 14; 56:20; 89:1; 90:15; 109:1  
**currently** 56:7; 57:8; 108:5  
**customers** 15:17; 106:10  
**cut** 51:3; 54:16; 74:6; 80:12; 113:19; 141:14  
**cuts** 70:11; 73:18; 108:14  
**cycle** 7:18; 8:4; 136:12

## D

**D** 15:6; 33:1; 38:7; 40:22; 41:2; 50:14; 67:11; 87:9; 145:10; 148:18; 151:21  
**D-i-l-l-t-s** 46:1  
**D.C** 132:8; 133:13  
**dad** 127:17  
**Dakota** 4:18; 10:13; 21:13, 21; 22:1; 24:12; 30:8; 43:22; 45:15; 53:7; 56:17; 57:5; 58:21; 59:1, 3, 11; 60:12; 61:15; 63:5, 9, 11; 67:19; 87:1; 88:19, 22; 89:21; 94:8; 97:9; 124:18; 126:19; 127:4; 153:3;

161:10  
**Dallacory** 122:17  
**damage** 38:20; 116:1; 125:17  
**damages** 46:9; 115:19, 22  
**damaging** 65:2; 108:6  
**Dan** 113:14  
**Dana** 58:18, 18  
**dang** 83:9  
**dangerous** 142:21  
**Dare** 123:3  
**Darlington** 45:19; 47:9, 10  
**Darnell** 6:20, 22; 7:1; 11:2, 4; 12:13, 15, 16; 17:15; 18:19, 22; 19:2; 68:7; 143:11, 16, 16; 147:12; 155:4, 5, 6  
**data** 31:4; 116:19; 146:21  
**date** 32:18; 107:9  
**dated** 42:10; 60:15  
**daughter** 113:16  
**day** 28:3; 88:11; 97:6, 14; 125:13; 141:17; 151:11  
**days** 19:7; 44:11; 51:22; 63:20; 68:18; 88:2; 92:18; 110:9, 13; 125:13  
**deadline** 19:12, 14; 64:10, 15; 74:19; 99:14; 161:16  
**deal** 104:20; 142:8; 150:13; 152:21  
**dealing** 140:4; 158:17  
**deals** 8:10  
**dealt** 108:21; 131:15  
**deaths** 125:18  
**debacle** 23:7  
**deceptive** 83:2  
**decided** 45:20; 101:20  
**decision** 17:6; 81:17, 21, 22; 82:4; 91:16; 92:14; 93:2; 114:15; 118:20; 121:15; 158:19, 20; 159:15, 20; 160:7, 7  
**decisions** 87:18; 114:20; 118:21  
**Declaration** 78:21  
**decrease** 70:13  
**decreasing** 55:17  
**deeply** 61:2  
**deer** 127:18  
**defect** 71:8  
**defend** 79:12; 80:6  
**deficiencies** 74:21  
**deficiency** 16:5; 17:4  
**defined** 72:8  
**definitely** 16:20; 99:9  
**definition** 20:6; 72:9; 124:14  
**DEI's** 64:15  
**DEIS** 2:9; 3:5; 7:2; 14:7; 15:4, 11; 16:5; 7; 18:5, 7; 19:8, 15; 20:1; 22:7, 9, 14,



20; 23:4, 15; 24:7, 9; 25:1;  
29:16; 30:4; 41:22; 42:16;  
66:8; 67:8; 68:13; 69:13;  
71:9; 72:3, 19; 83:12, 13;  
84:15; 85:4; 86:5, 20; 87:7;  
88:2; 89:14, 18; 90:9;  
92:18, 19; 145:16; 146:2;  
147:13  
**DEISs** 22:2  
**delineate** 73:2  
**delivery** 37:9  
**demonstrate** 121:16  
**denied** 132:17  
**Dennis** 62:10, 10, 13, 13;  
66:18  
**Denver** 135:5  
**deny** 92:14; 133:8  
**department's** 34:15  
**departments** 33:21; 37:5  
**dependable** 92:22  
**dependent** 56:12  
**depending** 74:2; 124:21  
**deprive** 78:18  
**deprived** 78:16  
**derailment** 9:22  
**derailments** 124:2, 7;  
131:12  
**describe** 101:8, 12  
**desert** 95:18  
**design** 55:4  
**designed** 75:20  
**destination-specific**  
89:6  
**destroys** 149:20  
**destruction** 113:11  
**destructive** 92:7; 93:10  
**detailed** 16:8; 18:6  
**determined** 73:22;  
116:1; 160:22  
**detrimental** 56:8  
**develop** 117:19; 129:3  
**developed** 55:22; 65:19;  
147:3  
**development** 14:5, 15,  
21; 55:15, 16, 20; 116:18;  
127:19; 146:19, 20  
**developments** 14:3  
**device** 87:9  
**dialogue** 129:17  
**dictate** 137:5  
**diesel** 43:11, 11; 89:11;  
108:4; 126:8; 135:7  
**difference** 6:6; 22:2; 41:3  
**different** 82:21; 112:14;  
113:18; 138:3; 156:4, 6  
**differentiate** 49:20  
**differs** 155:22  
**difficult** 2:11; 19:11;  
20:10; 50:12; 64:5; 66:3, 5,  
19; 68:15; 71:7; 72:3, 12;  
73:12; 83:13  
**difficulties** 136:16  
**digest** 28:3

**Dilts** 45:20, 20, 22, 22  
**dime** 135:6  
**dinosaur** 105:15  
**direct** 26:7, 14; 85:6  
**directed** 120:2  
**direction** 39:10; 160:15  
**directly** 7:7; 60:1; 75:12;  
121:7; 134:6, 14  
**director** 86:11  
**dirty** 126:10; 128:5  
**discharge** 79:15  
**discourage** 69:5; 133:18  
**discover** 97:10  
**discrepancy** 22:3  
**discretion** 117:22  
**discuss** 123:9  
**discussed** 4:17; 48:10;  
123:22; 131:9, 18  
**discussion** 2:20; 16:6;  
18:9; 48:12; 121:4; 122:7;  
123:20; 124:1; 131:13;  
133:9; 134:1  
**discussions** 63:16  
**disease** 129:3  
**disgraceful** 66:7  
**dismiss** 122:8; 123:7  
**dismissed** 67:12  
**displayed** 30:17  
**disposed** 131:16  
**disregard** 84:3  
**disrupted** 41:10  
**distance** 21:16; 110:22  
**distant** 120:8  
**distributed** 127:16  
**distributing** 151:6  
**district** 27:4; 68:10;  
71:13  
**disturb** 97:18, 19; 98:8;  
107:21  
**disturbed** 34:19  
**diversified** 56:17  
**divide** 140:8  
**divides** 73:17  
**dividing** 31:11  
**division** 85:12; 136:5  
**DM&E** 2:4, 22; 14:18;  
15:15, 19; 17:12; 19:5;  
20:14, 21; 21:5; 22:17, 18;  
23:11; 25:2; 26:18, 21;  
28:13; 30:4; 31:4; 32:1, 14;  
37:8, 15; 40:10, 14; 43:16;  
45:8; 46:9, 10, 14, 18, 20,  
22; 47:22; 48:21; 49:10;  
53:4, 16, 20; 54:12, 17;  
55:13; 56:20, 22; 57:13;  
19; 59:15; 61:12; 63:1, 11;  
65:19; 67:22; 70:8; 74:5;  
75:20; 78:2; 81:9; 85:20;  
86:9; 90:11; 91:12; 92:3, 4;  
93:8; 101:9; 102:16;  
107:17; 111:4, 20; 112:14;  
115:9; 118:6, 11, 12;  
124:10; 126:11, 12, 16, 21,  
22; 128:16; 129:13; 138:6;

139:10; 142:7; 147:6;  
148:16, 22, 22; 153:16;  
158:21; 159:1, 20, 21;  
160:3, 16  
**DM&E's** 80:1; 82:20;  
89:9; 90:14; 91:2, 21;  
102:12; 103:5; 134:14;  
142:10  
**doctor** 34:4  
**doctors** 33:20  
**document** 4:10, 12, 13;  
11:18; 30:9; 63:21; 64:4, 8;  
67:9; 69:21; 72:6, 22; 73:9;  
74:22; 87:21; 91:9;  
110:10; 114:8, 9; 120:7,  
11, 13; 121:15; 125:1;  
131:21; 132:1  
**documentation** 14:19  
**documents** 29:11, 12;  
64:12  
**dogs** 10:7, 9, 16; 52:14  
**dollars** 59:19; 137:14  
**domain** 148:1  
**domestic** 126:6  
**Don** 88:5, 6, 8; 129:6, 21;  
159:11; 160:4  
**done** 2:22; 31:13; 36:20;  
43:15; 87:15; 88:3;  
105:13, 14, 20; 106:1, 3, 8;  
112:8, 20; 113:22; 123:16,  
19; 126:4; 149:7, 9  
**Donkey** 150:21  
**Donnelly** 6:21, 22; 155:3,  
6  
**doom** 86:17  
**doubled** 57:22  
**doubt** 31:1  
**Douglas** 86:10  
**down** 17:20; 30:12;  
60:11; 93:22; 128:15;  
133:4; 135:6; 148:13  
**downtown** 97:12  
**draft** 2:12; 4:9; 10:7;  
11:10, 13; 12:19; 13:13;  
17:4, 7; 18:2, 16; 40:9;  
47:7; 51:14; 53:4; 63:20;  
66:3; 68:12; 74:20; 75:16;  
84:1; 87:19; 88:3; 89:19;  
90:8, 21; 101:16; 103:3;  
104:2; 110:8, 9; 118:16;  
131:9; 140:3; 156:8;  
157:12; 158:5  
**drafts** 20:9; 23:17  
**drainage** 60:18; 133:2, 5  
**drainages** 73:18  
**dramatically** 155:11  
**drawing** 89:21  
**drive** 111:2; 127:9, 11;  
161:17  
**driving** 48:22  
**drop** 103:14  
**dropped** 29:9; 86:15  
**drought** 42:13  
**dry** 117:11; 142:4  
**due** 10:16; 14:18; 72:15;

78:17, 20; 102:12; 108:12,  
18; 160:6  
**Dumont** 5:3  
**duplication** 71:21;  
128:15  
**during** 9:17, 19; 11:8;  
13:6; 26:9; 27:13; 64:22;  
68:21; 85:8; 111:6;  
131:20; 132:19; 146:12,  
13, 15  
**dust** 16:6, 9; 17:2; 43:10;  
60:21; 108:4; 122:9, 22;  
123:6, 14; 125:21; 126:2,  
5; 128:18, 21  
**dustier** 129:1  
**duties** 79:15  
**duty** 80:6

## **E**

**E** 14:1, 13  
**e-mail** 128:3  
**earlier** 19:14; 42:15;  
64:14; 79:18; 82:18; 102:1  
**early** 96:7  
**early-July** 43:19  
**easier** 50:17  
**easily** 20:18  
**east** 112:18; 141:11  
**eastern** 21:21; 56:6;  
128:13  
**eat** 126:5  
**economic** 24:17; 55:13;  
56:4, 11; 57:2; 67:7; 70:12;  
91:6; 121:10; 147:7, 10,  
14, 16, 19  
**ecosystem** 65:3; 144:22  
**Edgemont** 58:21; 59:1, 3,  
5, 8, 8, 9, 17  
**Edison** 17:22  
**editorial** 114:11  
**effect** 26:18; 50:1;  
107:20; 115:15; 134:11  
**effectively** 2:11  
**effects** 61:3; 65:11;  
89:14, 16; 90:5; 115:11  
**efficient** 37:10; 56:5  
**EIS** 4:2; 8:9, 22; 10:5, 7,  
11:8, 13; 13:17; 18:16;  
29:6; 40:9; 47:7; 48:5, 11;  
49:17; 51:20; 53:4; 60:22;  
63:20; 66:3, 7; 73:21;  
75:16; 87:19; 88:3; 89:19;  
90:8, 21; 94:3; 101:16;  
105:6, 13, 18; 107:4;  
114:21; 115:5; 118:17;  
121:16; 129:14; 140:3;  
156:8; 158:5  
**either** 39:9; 46:18; 102:12  
**elderly** 69:3  
**elected** 5:1, 12; 79:6  
**election** 72:15  
**Electric** 17:22; 155:9, 16  
**electrical** 156:1

**electricity** 21:1; 48:14;  
78:6, 7; 128:7  
**eligible** 145:20  
**eliminating** 152:16  
**elk** 55:1  
**Elks** 112:8  
**eloquently** 156:9  
**else** 34:13; 57:14; 59:13;  
113:2; 126:22, 22; 149:11;  
151:12; 156:12  
**emergency** 131:18;  
132:4, 6, 17; 133:4, 16  
**eminent** 147:22  
**emissions** 13:19, 20;  
14:2; 15:8, 12; 106:15;  
122:9; 126:8  
**emphasize** 138:20  
**employee** 80:9  
**employees** 65:20; 79:22;  
80:3  
**employment** 36:5  
**enclose** 54:14  
**enclosed** 54:13  
**enclosing** 54:9  
**encourage** 99:12  
**encouraged** 32:1  
**end** 6:1; 11:21  
**endangered** 10:19;  
24:21; 105:16  
**ends** 73:8  
**energy** 56:13; 57:15;  
93:3, 4, 5; 128:8  
**enforcement** 37:6  
**enforces** 79:1  
**engineer** 122:14; 137:17  
**engineering** 51:2; 61:17  
**Engineers** 4:17; 21:20;  
31:9; 51:9; 55:5; 59:15;  
69:11; 74:18; 87:21; 90:7;  
92:20; 120:3, 12; 149:14  
**England** 105:10  
**enjoy** 76:12; 77:6;  
127:11, 12; 141:20, 22  
**enjoyed** 76:17  
**enlargement** 44:15  
**enough** 34:22; 39:13;  
40:19; 42:14, 21; 55:1;  
110:4  
**ensure** 63:15  
**enter** 131:13  
**enterprise** 40:2, 5; 109:5  
**enterprises** 53:13  
**entire** 91:6; 99:22; 121:4;  
122:7  
**entirely** 124:3; 133:11;  
134:3  
**entities** 32:3  
**entity** 32:9  
**environment** 16:20;  
52:15, 18; 56:9; 68:13;  
108:7; 126:11  
**environmental** 4:1, 8, 9;  
12:20; 23:2; 32:4; 45:12;  
48:12; 51:14; 63:16;

65:14; 69:8; 74:3; 81:19;  
 82:3; 92:10; 101:13;  
 103:4, 19; 104:2; 114:10,  
 16, 18; 115:13; 118:7, 13,  
 21; 120:18; 122:16, 16;  
 147:18  
**environmentally** 33:3;  
 65:12; 145:2  
**environs** 155:22  
**Enzi's** 5:5  
**EPA** 103:2, 5; 112:5;  
 124:21  
**EPA's** 103:2  
**epidemiological** 123:12  
**equipment** 39:14  
**errors** 18:4, 7; 40:20;  
 86:19; 87:8  
**ES** 31:22  
**escaping** 117:9  
**ESD** 122:20  
**especially** 21:6; 40:13  
**essentially** 62:20; 67:9,  
 12  
**established** 96:7; 147:4  
**estate** 36:16  
**estimate** 8:20; 10:6  
**estimation** 18:7  
**even** 19:11; 20:7, 15;  
 25:13, 17; 26:13; 27:13,  
 16; 42:13; 51:10; 64:1, 5;  
 66:18; 69:14; 72:8; 73:4;  
 79:5; 89:15; 98:3; 108:20;  
 109:5; 112:19; 113:8;  
 135:4, 7; 140:11, 14, 19;  
 149:15  
**evening** 79:21; 100:4;  
 101:1, 20; 161:18  
**evening's** 129:10  
**event** 9:22; 115:8  
**eventually** 82:1  
**everybody** 34:13; 96:12;  
 97:12  
**everybody's** 97:3  
**Everyone** 19:19; 59:13;  
 81:8, 12  
**everywhere** 111:22;  
 127:17  
**evidence** 65:13  
**exacerbated** 49:5  
**exact** 111:12  
**exactly** 6:5, 15; 12:3;  
 75:2; 96:19; 104:17;  
 110:16  
**examination** 73:3  
**examined** 90:21  
**example** 48:7; 126:18;  
 133:2  
**examples** 8:8  
**exceed** 21:4  
**except** 38:10  
**exception** 30:16; 31:20;  
 94:21  
**Excuse** 25:21; 130:2  
**executive** 29:9, 18;

31:21; 77:5; 83:15; 85:15  
**exhaust** 89:11  
**Exhibit** 87:5  
**exist** 2:18  
**existence** 134:19; 149:3;  
 157:3  
**Existing** 13:19, 20;  
 15:17; 46:21; 47:1; 61:14;  
 72:21; 102:7, 13, 16;  
 106:10; 108:2; 113:6;  
 147:19; 155:12; 158:14  
**exists** 109:14  
**expand** 88:15  
**expansion** 14:18; 19:6;  
 23:11; 36:2; 92:3; 137:1  
**expect** 9:13; 14:17;  
 21:10; 22:21; 68:18  
**expected** 9:19  
**expecting** 159:16  
**expects** 20:22; 136:11  
**expedient** 91:15  
**expense** 75:21; 149:11  
**expensive** 54:6; 61:16;  
 71:18  
**experience** 82:19;  
 115:22; 137:19  
**expert** 85:9  
**explain** 9:3; 23:18; 33:18;  
 63:7  
**explained** 46:20  
**explains** 72:17  
**explanation** 9:1, 2;  
 40:12; 49:15  
**explicit** 8:6; 9:4  
**explorers** 95:16  
**export** 47:1  
**express** 94:16  
**extend** 68:17  
**extended** 19:16; 69:12;  
 88:2  
**extending** 92:17  
**extension** 13:12; 25:6,  
 15; 51:11; 64:4, 13; 69:10;  
 74:17; 95:5; 107:10  
**extra** 106:8; 142:4  
**extremely** 96:10

## **F**

**face** 36:22  
**facilities** 13:21, 22; 15:1;  
 63:7, 9, 10; 122:5  
**facility** 63:2, 4, 6; 155:12  
**facing** 157:21  
**fact** 18:5; 22:10; 34:8;  
 64:21; 72:13; 74:7; 111:1;  
 114:10; 118:17; 120:4;  
 133:19  
**factor** 11:7  
**factors** 21:4; 98:11  
**facts** 40:11; 105:19;  
 128:1  
**factual** 18:17; 40:16, 17

**fail** 30:6  
**failed** 7:18; 8:3; 15:7  
**failing** 56:14  
**fails** 29:19; 89:14  
**fair** 54:18; 67:10; 154:6  
**fall** 43:1; 59:18; 61:14  
**falling** 18:10; 43:12  
**familiar** 132:13  
**family** 13:8; 34:4; 95:14  
**famous** 35:9  
**far** 14:16; 53:7; 64:20;  
 83:19; 92:11; 135:5;  
 137:19; 158:2  
**farm** 70:11; 75:7, 10, 14  
**farmers** 30:8; 139:7;  
 147:21  
**farming** 65:5; 84:14;  
 96:12; 102:6  
**farmlands** 153:2  
**farms** 72:10; 117:1  
**fast** 130:21  
**faster** 68:2  
**fatal** 132:18  
**fatally** 13:13  
**father** 59:21; 61:21  
**favor** 36:2; 62:14; 75:15;  
 82:14, 16  
**favoritism** 30:17  
**FDA** 16:7  
**Fe** 16:18; 61:2; 128:10;  
 135:19, 22  
**feature** 39:11  
**February** 31:13  
**federal** 5:1; 22:15; 63:14;  
 65:5, 8; 79:22; 80:3, 8;  
 92:12; 102:22; 144:18, 20;  
 150:15; 152:7, 9; 153:10;  
 158:7, 9  
**feed** 84:18  
**feel** 2:15; 39:5; 46:21;  
 105:17; 106:22; 108:22;  
 109:4, 8; 110:11; 113:4  
**feels** 2:10  
**feet** 115:20; 145:6, 18, 21  
**Fence** 54:5; 116:9;  
 127:11; 138:8, 21; 140:8  
**fenced** 54:4  
**fences** 140:13; 150:2  
**fencing** 54:8, 8; 55:3;  
 116:8  
**ferrets** 10:21; 52:16  
**fertilizing** 96:13  
**few** 28:2; 34:3, 16, 17;  
 44:11; 53:10; 64:9; 75:21;  
 80:12, 22; 94:11; 133:12,  
 15; 135:19; 140:1; 141:2;  
 152:5  
**fidelity** 79:17  
**field** 42:15; 150:3, 4  
**fifth** 23:12; 78:14  
**fight** 38:17, 19; 75:22  
**fighting** 41:6; 57:16;  
 125:16

**figured** 96:18  
**figures** 50:13; 97:12;  
 145:12  
**file** 24:2  
**fill** 12:8; 51:4; 103:13  
**fills** 73:19  
**final** 4:1; 17:7; 82:3;  
 103:18; 114:15; 118:19;  
 160:6  
**Finally** 4:19; 57:6;  
 101:13; 124:16; 151:8;  
 160:3  
**financial** 22:18; 47:20  
**financially** 27:17, 18;  
 70:22; 136:19  
**find** 10:6; 16:14; 20:6, 10,  
 12; 32:11; 40:7; 58:10;  
 73:3; 75:1; 121:21; 122:6;  
 131:9; 138:11; 143:22;  
 144:3; 145:4  
**finding** 76:8  
**fine** 12:1; 28:16; 77:10;  
 127:21; 130:16; 132:8  
**finish** 3:11; 81:19; 103:8  
**fire** 10:14; 33:21; 34:15;  
 37:5; 84:20, 21; 117:15,  
 18, 19, 21; 142:2, 5;  
 154:11  
**Fire's** 108:7  
**fire-suppression** 38:12,  
 14  
**firebreaks** 108:10  
**fires** 34:22; 38:10, 11, 16,  
 18, 19; 90:19; 108:8, 11;  
 117:8, 9, 10, 12; 125:18  
**first** 5:1; 6:20; 7:2, 19;  
 19:6; 20:13, 14; 26:4; 27:6,  
 6; 39:18, 22; 44:16; 47:15;  
 50:7; 55:12; 73:1; 82:6;  
 93:14; 95:16; 96:7; 99:2, 4;  
 104:1; 114:8; 120:2;  
 127:18, 18; 135:20; 148:6;  
 158:21  
**firsthand** 128:19  
**fit** 27:17, 18; 47:16; 75:2  
**fitness** 47:20  
**five** 7:17, 19, 22; 69:2;  
 83:16; 97:16; 102:9;  
 104:3, 6; 135:6; 146:2  
**fix** 24:20; 127:11; 138:21,  
 22; 139:1, 1, 7  
**fixing** 138:7  
**flaw** 116:6  
**flawed** 13:13; 84:2; 87:18  
**Flood** 42:11; 51:6; 60:7;  
 96:14  
**flying** 125:22; 128:18, 21  
**focus** 60:20  
**fog** 123:6  
**folks** 5:20; 12:7; 46:3, 6;  
 47:11; 62:7; 80:17; 95:10;  
 129:22; 130:2, 9; 148:6  
**follow** 66:3, 5; 72:5, 12;  
 106:14  
**following** 75:8, 16

**follows** 36:4  
**food** 78:9; 83:7, 10  
**foot** 88:16; 128:16  
**footed** 52:16  
**footnote** 8:6, 11, 22; 9:5;  
 20:20; 22:7, 7  
**footnotes** 147:15  
**footnoting** 8:10  
**for-profit** 92:5  
**forage** 26:8, 14; 85:6  
**force** 126:15; 150:15  
**forced** 150:14  
**foreign** 56:13; 83:6, 7, 9,  
 10  
**foreseeable** 15:18; 17:10  
**forest** 4:21; 65:10; 91:10;  
 92:16; 93:16, 21; 94:4;  
 140:5, 7, 19; 143:19;  
 153:10; 155:7; 156:19, 21;  
 157:3, 6, 7, 20; 158:3, 4, 8,  
 12, 14, 18, 19; 159:10;  
 160:5, 11, 19  
**forever** 60:10; 97:1  
**forgotten** 22:16  
**form** 12:7; 55:19  
**formal** 3:18; 103:20  
**formally** 3:20; 13:11;  
 69:9; 99:12; 161:4  
**format** 11:13, 14  
**former** 65:16  
**forth** 17:7; 54:11  
**fossils** 105:15  
**found** 21:16; 83:13;  
 90:21; 110:19  
**foundation** 75:17; 76:14;  
 116:6  
**foundations** 116:2  
**Fountain** 44:22  
**four** 55:12; 110:20  
**foxes** 10:20  
**frame** 64:13; 80:21  
**framed** 76:15  
**framers** 76:19  
**France** 49:13  
**frankly** 158:13  
**fraudulent** 22:11  
**free** 59:2, 6  
**freight** 86:15  
**Frequent** 13:6  
**fresh** 107:6  
**friendly** 33:3; 65:13;  
 129:18; 145:2  
**friends** 93:15  
**front** 25:15; 81:16; 99:18;  
 119:6; 129:16  
**FTE** 17:8  
**fuel** 115:7; 117:11; 124:9,  
 11, 13; 135:7  
**fugitive** 122:22  
**full** 53:18; 69:5, 7; 70:1;  
 76:1; 128:22  
**function** 92:2  
**fund** 109:5

fundamental 76:13; 77:8  
funding 36:12; 37:4;  
47:22  
further 23:6, 7; 24:8;  
25:7; 42:2; 47:22; 68:22;  
74:13, 20; 128:22  
Furthermore 96:22  
future 109:12; 129:5;  
136:12; 146:18  
fuzzy 91:7

## G

gallons 124:12, 13  
game 117:2  
Gap 102:4; 144:12; 157:9  
gargantuan 68:20  
Gas 14:9; 128:7; 151:7  
gasoline 78:9  
gathered 97:4  
gauge 149:16  
gear 53:14  
general 21:17; 25:12;  
120:1  
Generally 66:6; 74:1;  
155:18  
generated 21:1  
generating 128:6  
generation 23:13; 48:14  
generations 95:15;  
109:13  
gets 70:8; 152:19  
Gillette 64:6; 69:20;  
150:20  
given 28:13; 61:4;  
110:12; 111:12; 126:18  
gives 147:16  
giving 47:12; 93:14  
glance 73:1  
Glenn 33:10, 10, 12;  
93:12  
global 56:4  
glossary 20:5  
goals 48:11; 76:4  
goes 14:13; 50:5, 6; 59:6;  
74:14; 115:21; 123:21;  
134:6; 145:21; 150:22  
Good 12:15; 22:9; 40:13;  
55:21; 67:17; 74:2; 75:5;  
80:2, 3; 88:12; 113:3;  
138:4; 139:9  
goods 37:3  
Gordon 58:18  
Gore 82:22  
government 22:15; 32:3;  
36:12; 37:7; 51:8; 76:4, 22;  
77:22; 79:19; 83:4; 94:2;  
109:5; 150:15  
governmental 77:4  
governor 79:9  
grade 39:4; 41:11, 14;  
50:11; 87:6; 110:20  
grains 56:11

grandchildren 127:22  
grandparents 41:21  
grant 81:9  
granted 64:14; 143:18  
granting 30:11; 67:21  
graphs 49:17; 72:15, 16;  
84:17  
grass 34:22; 35:2; 53:13;  
96:1, 4; 117:12; 126:6;  
127:16  
grassland 50:4, 20; 58:9;  
14; 64:17; 65:7; 89:1;  
102:5  
grasslands 47:5; 65:2, 8,  
18; 68:1; 72:1; 143:18;  
144:6, 7, 12, 13, 20; 157:2,  
5, 10; 158:16, 21, 22;  
159:2, 16, 17; 160:1, 5, 9,  
13, 20  
gravel 52:8  
grazing 140:5, 8; 152:17,  
17, 22  
great 6:10, 12, 19; 18:21;  
27:12; 38:21; 42:6; 45:18;  
67:5; 68:5; 75:3; 95:17, 21;  
99:16; 130:19  
greater 64:20  
greatly 47:5; 152:14;  
155:15  
ground 5:15; 35:2; 98:8;  
113:5; 153:10  
groundwater 9:17  
group 130:7; 153:19;  
154:16  
grow 36:15  
grows 96:4  
growth 21:1, 9; 24:17;  
36:19  
guarantee 35:1; 78:1, 5,  
8  
guaranteed 7:18; 8:4;  
77:13, 16, 18; 78:4, 11  
guess 9:2; 14:4; 35:9;  
38:22; 40:19; 50:22;  
84:11; 104:17; 120:3;  
140:3, 10; 141:6, 19;  
142:1, 13, 21; 143:5  
Guessing 14:7, 8  
guide 83:14  
guy 105:5

## H

habitat 10:6, 9, 13; 117:3  
half 61:7  
half-hour 80:19  
hand 130:10  
handpicked 153:18, 21  
hang 71:1  
hanging 99:3, 4  
Hanson 33:10, 12, 12;  
39:2; 93:12, 13  
happen 22:4; 26:20;  
47:16; 99:6, 6; 117:17

happened 99:6  
happens 117:16; 138:8  
happiness 77:17  
hard 25:14; 43:2; 61:16;  
82:2; 110:7; 133:13;  
136:5; 146:21  
hardly 117:17  
hardship 70:12  
hardships 118:8  
harmful 65:11  
harsh 161:13  
Harshbarger 37:22;  
38:1; 75:4, 5, 6; 79:1  
harvesting 53:13  
hate 24:13; 34:19  
haul 24:19; 39:14; 46:4  
hauled 49:9  
hauling 48:15; 71:20  
hauls 148:15, 15, 16  
hay 42:12  
health 123:10, 17  
healthy 126:3, 4  
hear 81:8; 101:22; 104:5;  
129:12, 12, 15; 141:17  
heard 26:17; 34:21;  
49:12; 102:1; 105:12;  
111:17  
hearing 12:17; 59:21;  
89:20  
hearings 12:18  
heavily 56:7; 120:22  
Heavy-haul 90:17  
hefty 70:12  
help 36:5, 10; 37:2, 10,  
17; 39:19; 43:7; 56:1;  
108:11; 109:5  
helpful 2:16  
here's 88:15; 110:5  
herself 111:2  
hidden 84:10  
hide 65:4  
Higgins 88:5, 9; 92:1;  
129:7, 8  
high 17:11; 54:6; 92:11;  
155:18  
high-paying 116:16  
higher 149:11  
higher-up 27:2, 3  
highest 14:17; 59:10  
highlands 20:15  
highlight 102:4  
highlighted 44:13  
highly 121:9; 152:8  
highway 49:1; 67:20;  
73:6, 7, 7; 87:1; 110:17;  
111:9; 149:15; 155:14, 18  
highways 73:5; 86:20;  
108:11; 141:4; 142:17  
Hill 52:14  
Hills 56:19; 60:11  
himself 79:9  
hinges 86:4  
hits 135:10

Hobbs 57:18, 19  
Hodges 104:18  
Hodging 44:14; 45:9  
Hodging's 44:11  
hold 63:12; 83:8  
holding 12:18  
holds 136:2  
holidays 13:9  
home 69:4  
homesteaders 93:19  
Honor 5:4  
honoring 25:9; 161:6  
hope 57:14; 82:9, 11;  
95:10; 129:15  
Hopefully 6:6; 138:16  
horse 140:6  
Horses 126:1; 127:10  
hospital 113:15  
hospitals 37:5  
hostage 83:9  
hour 19:19  
hours 64:8, 9; 97:11, 11,  
14  
house 57:7, 10; 68:10;  
110:21; 111:11; 115:19  
housing 78:10  
huge 11:7; 46:12; 64:8;  
65:1; 86:19; 94:11;  
133:16, 20; 143:20  
hundred 133:12, 15  
hunters 70:16  
hunting 13:5; 53:14;  
141:11  
hurt 84:12  
hurting 83:4  
husband 28:1; 45:3;  
53:5; 97:6  
hydrophytic 72:8

## I

I-90 87:5  
idea 9:2; 39:21; 113:3  
identified 53:21; 122:3;  
124:19  
identifies 16:7  
identify 11:9; 31:9; 44:10  
idling 89:12  
ignite 117:12  
Ill 62:17; 86:6  
Ill-A 21:12; 50:2  
Ill-B 8:19; 9:16; 16:7;  
25:19; 32:18, 20; 84:4  
ill-conceived 75:13  
illegally 31:16  
illegible 20:9  
immediate 18:1; 36:4  
impact 4:2, 9; 12:20;  
13:7; 15:5; 17:8; 23:3;  
26:7; 31:12; 39:16; 45:12;  
46:12; 48:17; 51:14;  
55:13; 63:17; 64:19, 22;

65:4, 6; 68:13; 71:22; 82:3;  
85:5, 9, 12; 94:18; 95:8;  
102:8, 11; 103:4, 19;  
104:2; 114:10, 16, 18;  
117:2, 4; 118:22; 120:18;  
122:17; 123:8; 125:5;  
133:14, 16, 21, 22; 144:7,  
9, 18; 145:14, 17; 147:18;  
152:14, 19, 20; 155:13  
impacted 70:17; 74:13;  
75:12; 95:6; 98:10  
impacts 2:7, 10, 17;  
14:18; 16:1; 17:6; 18:2;  
21:18; 31:11; 32:4; 37:18;  
48:12; 62:17; 66:20, 22;  
67:7, 7; 84:3, 13; 85:3;  
90:14; 92:10; 121:10, 10,  
11; 123:10, 18; 124:17, 18,  
22; 125:3; 131:10; 144:5;  
146:1; 147:14, 19; 156:4  
impair 44:8  
impaired 10:3; 43:6;  
84:7; 90:3  
impairment 90:2  
impede 116:8, 9, 11  
implemented 146:8  
importance 76:9  
important 2:8; 13:8;  
27:15; 61:10; 70:14; 76:3;  
111:16; 137:3  
importantly 99:19;  
101:14  
imposed 2:14  
imposition 3:8  
improved 38:12; 58:8  
improvements 71:6  
improvise 3:5  
in-house 136:1  
inaccessible 50:3; 66:10  
inaccurate 22:13; 26:11;  
33:16; 90:22  
inadequacies 22:18  
inadequate 33:16; 72:20,  
20; 74:1; 90:22; 91:7;  
122:10; 124:3  
inadequately 109:3  
incentive 74:8  
incidents 31:17  
include 15:8; 18:2; 53:12;  
107:9  
included 2:20; 13:10;  
16:12; 45:12; 84:14; 132:1  
including 10:20; 32:5;  
43:16; 53:13; 82:15; 91:10  
inclusion 10:5  
income 24:2; 66:19; 69:3  
incompatibility 143:21  
incomplete 13:15; 20:4;  
90:22; 105:20, 22  
inconsistent 157:14  
inconvenience 26:13;  
66:21; 115:13, 15, 17, 18;  
116:4  
incorporated 9:8; 54:21  
incorrect 87:13, 16

increase 15:19; 36:8, 18;  
86:3; 108:2; 112:19;  
116:17; 136:7; 146:19;  
147:12  
increased 86:4, 8;  
112:12; 127:20  
increasing 37:2; 56:2  
indecipherable 49:19  
independently 31:6  
Index 11:16, 18; 20:5;  
66:4; 72:5; 83:14  
Indians 45:8  
indicate 2:9; 14:21;  
69:16; 115:6  
indicated 122:12; 123:4  
indicates 124:8; 125:1  
indication 87:14; 134:21  
individual 77:12, 21  
individual's 76:11  
individuals 143:8  
industrialization 70:17  
industries 36:13; 62:22;  
116:20  
industry 70:20; 121:2  
infeasible 70:22  
infestation 62:4  
information 4:12; 7:21;  
8:2; 13:14; 14:2; 16:8;  
19:13; 20:1; 25:2; 31:5;  
40:16, 17; 42:17; 45:14;  
50:21; 66:10; 67:2, 3; 70:5;  
81:16, 20; 87:16, 18; 91:4;  
5, 11; 99:18; 101:22;  
105:22; 156:17  
informed 105:9  
infringed 77:9  
Ingestion 115:7  
ingestion 123:18  
inhibits 140:9  
initiate 160:21  
Inn 44:22  
input 2:13; 27:15; 54:20;  
55:4; 160:2  
inquiries 14:20  
insight 95:12  
inspection 9:9; 120:5  
inspector 138:1  
installed 146:8  
instance 120:6  
instead 38:8; 66:8  
insufficient 63:20  
insurance 44:11  
integration 65:18  
integrity 63:15  
intend 42:2; 129:19  
intended 121:14  
intends 15:20; 40:2  
intensify 43:5  
intent 77:10; 132:12  
interest 50:8; 92:6;  
93:10; 121:3  
interested 9:10, 15;  
19:20; 20:7; 120:14

interestingly 110:3  
interests 32:12  
interference 77:21  
intermittent 146:7  
Internet 16:11  
interrupting 57:13  
Interstate 86:22  
into 23:7, 20; 25:13;  
27:22; 28:4; 33:5; 40:1;  
43:12; 46:4; 54:21; 55:4;  
57:4; 60:11; 95:12, 19;  
97:8, 9; 112:6; 113:18;  
118:5; 130:7; 131:13;  
137:8; 161:11  
introduction 157:22  
invading 44:3  
invest 64:17; 136:20  
investigations 120:20  
Investments 137:2  
investors 71:3; 91:17  
invite 141:21  
invited 10:21; 11:4  
involve 160:13  
involved 2:3; 26:22;  
50:18; 56:15; 64:12;  
158:12  
involvement 160:14  
irresponsible 93:1  
irrigate 42:12, 15  
irrigation 96:13  
isolated 50:5  
issue 4:8; 30:2; 32:17;  
35:18; 57:6; 61:5; 71:1;  
93:5; 110:17; 142:3;  
156:10  
issues 62:5; 129:12;  
131:17; 142:2  
issuing 14:10; 65:22  
item 11:16; 48:16  
items 47:16; 116:2  
IV 85:15

## J

J 11:16  
J.R 28:22  
Jack 5:8  
January 99:14; 103:16;  
159:17; 160:6; 161:16  
Jean 37:22  
Jerry 4:16; 45:18, 20, 21,  
22  
Jim 45:19; 47:9; 103:1, 6  
job 81:15, 18; 82:1;  
138:15  
jobs 36:4, 6; 41:8; 56:2;  
116:16, 16; 127:2, 3, 5, 8  
Joe 107:13, 15  
Johnson 25:10, 11;  
28:19; 29:1, 3, 4; 32:8  
join 94:20  
joined 45:18  
joint 67:14; 147:1

Journal 45:6  
Joyce 113:14  
judge 129:20  
judgment 114:22  
judicial 77:4  
Judy 119:7  
July 45:9  
Junction 46:4  
June 48:1  
justified 118:20  
justify 42:21  
justifying 114:20

## K

keep 5:18; 6:1, 18; 88:14;  
104:2; 139:11  
keeping 146:12  
Keith 119:19; 130:20  
Kenneth 52:21, 22  
Kentucky 129:2  
Kevin 78:2; 153:19  
kind 105:6; 121:13;  
124:7; 133:20; 140:11;  
141:1; 145:21  
kinds 24:3; 121:11  
King 5:8  
Kmart 115:18  
knowledge 2:15  
known 72:7; 123:2; 126:9  
knows 81:13; 82:1  
Kramer 123:3

## L

labeled 20:15; 73:7;  
112:4  
labor 24:4; 139:3  
lack 16:6; 17:5; 98:20;  
120:19  
lacking 20:5  
Lake 41:20; 99:3  
land 4:21; 24:15; 42:5, 12,  
13; 43:15; 45:10; 53:17;  
18; 54:15; 55:10; 56:18;  
58:7; 59:22; 60:7, 9, 12,  
20; 63:3; 66:2; 71:14;  
75:11; 85:13, 17; 93:17,  
18, 18, 21, 22; 94:3, 5, 5;  
95:16; 97:1, 2, 21; 98:4;  
107:19; 109:12; 117:5, 11;  
127:14; 140:8; 144:14;  
147:22; 149:7, 17; 152:8,  
10, 10, 17, 18, 19, 21, 22;  
153:13; 154:1; 155:19, 19,  
21; 156:1; 158:1  
landowner 46:16; 53:22;  
57:19; 70:10; 71:10;  
85:13; 119:21; 154:12, 13  
landowner's 46:13  
landowners 31:9; 37:15;  
43:9; 46:8; 53:6, 21; 59:14;  
70:7; 71:4, 9, 11, 13;

73:19; 75:18; 81:10;  
85:10, 16, 19; 92:9;  
120:14; 126:16; 127:1;  
153:14, 16; 154:3, 15  
lands 25:21; 31:12; 65:5,  
8, 9; 72:1; 89:4; 91:19;  
144:19, 19; 154:14  
landscape 84:6; 89:2;  
92:2, 7  
landscapes 70:14  
Laramie 73:5  
large 39:13, 14; 50:6;  
66:9  
largely 120:21; 121:20  
larger 149:2  
largest 59:2, 6; 71:17;  
79:5  
Last 2:19; 17:15; 31:7;  
60:19; 85:1; 105:11;  
141:2; 142:3; 147:4;  
148:11  
late 34:6; 53:20  
lately 140:5  
later 8:22; 42:3; 45:2;  
104:21; 105:3, 4; 107:9  
Laughter 68:3; 130:21;  
159:5  
law 37:5; 70:9; 71:12;  
78:17; 92:12; 107:6;  
109:1; 134:19; 153:3  
law's 134:17  
laws 69:6; 106:13; 134:16  
lawsuit 59:17  
Lea 19:3, 4  
lead 115:4  
leadership 92:21  
leading 18:10  
learn 57:14  
learned 94:19; 97:2, 3, 20  
lease 71:8  
leased 42:6; 53:17  
least 9:1; 26:20; 39:5;  
41:14; 42:17; 51:22;  
59:22; 88:2; 107:11;  
120:14; 146:2  
leave 154:2  
leaves 127:5  
leaving 128:18  
left 6:16; 17:14; 32:7;  
60:18; 91:7, 22; 105:9  
legal 8:12, 14, 16, 17  
legislative 77:4  
legislator 79:16  
legislators 79:8  
lengthier 6:18  
lengths 27:12  
lengthy 64:13; 69:18;  
84:22; 95:5; 110:10  
Lenthorn 46:4, 6  
less 15:5; 56:12; 61:7, 13;  
113:8, 8, 10; 144:18;  
145:10, 14, 15, 17  
lethal 112:4  
letter 45:9

level 17:11; 112:13  
levels 108:2  
liberties 76:18  
liberty 76:7; 77:17; 78:12,  
16, 19; 79:4  
libraries 69:19; 70:4  
library 64:10; 120:8, 10  
license 65:22; 67:22, 22;  
81:9; 143:17  
lie 98:4, 9  
lies 60:6  
life 23:14; 24:12; 35:6;  
57:13; 70:13; 77:16;  
78:12, 16, 19; 95:2;  
133:20; 148:1; 151:19  
lifestyle 71:14  
lights 150:13  
likelihood 159:18  
likely 124:10; 147:13;  
159:22  
limit 66:12  
limitations 141:8  
limited 74:5  
line 15:9; 16:2, 18; 31:10;  
49:6; 53:4; 54:12, 16; 55:2,  
5, 6; 56:20, 22; 57:9; 58:4;  
60:2, 8, 10; 61:14; 63:8;  
67:14, 17; 71:4, 19, 21;  
73:9; 84:18, 21; 85:1;  
86:14; 102:10, 17; 107:16;  
110:21; 114:6; 115:17, 21;  
117:4; 119:22; 123:17;  
147:1; 149:8; 150:20;  
151:8, 12; 155:9  
line's 73:16  
linear 155:8, 13, 14, 17;  
157:18  
lines 25:3; 37:16; 67:5;  
109:9; 113:7; 147:3;  
151:13; 155:17  
list 5:20, 22; 19:20; 43:10;  
99:22; 119:8  
listed 11:16; 43:6; 50:1;  
62:17; 87:5, 5, 11; 145:4  
listening 82:11; 94:19;  
129:11; 161:7  
listing 66:20; 120:19  
literature 121:8, 14;  
134:15  
litigation 65:15; 85:14  
little 3:13; 5:10; 27:21;  
28:4; 29:21; 30:16; 33:14;  
34:18; 45:14; 104:5;  
105:4; 108:15; 110:11;  
114:1; 117:5; 125:10;  
137:2; 142:4; 145:11;  
154:10, 11; 161:13  
live 23:12; 41:19; 46:1;  
59:1; 64:6; 69:18; 102:7;  
111:15, 16; 113:11;  
127:21; 129:4  
lived 24:11; 95:2; 97:1  
livelihood 108:19  
lives 41:10; 79:3; 110:5;  
149:6

livestock 13:5; 54:5;  
58:6; 84:18; 97:1, 11, 20;  
108:18; 115:14; 125:16  
living 94:1  
LLC 60:13  
loading 63:2, 6; 122:5  
local 27:4; 36:13; 70:2, 4;  
90:14; 92:9; 134:7; 135:6  
locally 135:3  
located 14:6; 53:15;  
72:16; 102:8; 115:19;  
116:20  
location 14:14; 73:22;  
102:15  
locations 31:10  
locomotive 124:10  
locomotives 89:9; 126:9  
logistics 103:9  
long 16:14; 21:16; 34:2;  
64:1; 76:12; 97:16;  
109:13; 141:14; 146:14  
long-term 36:5  
longer 113:16; 134:19;  
141:15  
look 7:15; 12:10; 33:5;  
45:1; 81:2; 82:2; 94:18;  
112:21; 123:5; 133:14;  
140:22; 142:10; 149:17;  
153:5  
looked 110:18  
looking 50:3; 51:1; 52:18;  
89:16; 140:18  
looks 40:13; 49:4; 152:9  
Loomis 86:11  
looser 82:22  
lose 96:17; 97:11  
loses 144:21  
losing 55:17, 18; 125:15  
loss 10:7, 13; 26:7, 14;  
85:6; 108:17; 117:4  
losses 108:12; 109:1  
lost 16:9; 36:6; 117:3  
lot 18:11; 27:14; 31:4, 4;  
33:3, 15; 35:21; 38:2; 39:2;  
41:5; 42:2, 17, 18; 58:7;  
10; 94:4, 19; 96:3, 11;  
106:2, 7; 114:7; 118:3;  
121:5; 140:4, 13; 142:1,  
18; 144:17; 149:6, 12  
lots 25:1; 58:5; 152:22  
Lou 109:16, 19, 22; 114:1  
love 137:6  
low 36:11; 56:6; 123:13  
lower 69:3  
lowered 86:17  
lowest 112:16  
lubricants 115:7; 124:9  
ludicrous 20:13  
lung 129:3  
lure 56:18  
luxury 109:10

## M

magically 134:2  
mail 3:21; 41:13  
main 59:7; 73:4; 112:1;  
138:14  
maintain 56:10  
maintenance 37:6;  
131:8; 137:10, 14  
major 15:16; 18:6; 22:3;  
70:6, 16; 71:8; 74:4; 75:5;  
6; 79:1; 116:7; 135:11;  
140:17; 142:16; 157:8  
majority 36:1; 37:13;  
65:6; 79:5; 81:10; 82:13;  
85:19; 124:19  
makes 10:10; 46:12;  
56:5, 9; 117:16; 141:18  
making 21:15; 73:12;  
82:10; 99:20; 100:5;  
114:15; 118:19  
man-hours 84:17, 20  
manage 158:1  
management 42:22;  
47:4; 52:2; 75:9; 121:10  
manager 50:19  
mandate 30:20  
mandated 30:19, 21  
mandates 89:22  
manifested 36:19  
Mankato 102:19  
many 20:5; 23:15; 24:20;  
29:13; 38:21; 40:8, 21;  
49:17; 55:14; 56:15;  
69:13, 18; 72:6, 15, 16;  
73:17; 74:14; 75:2; 82:14;  
95:12; 98:2, 2, 16; 109:1;  
123:21; 136:9; 137:11;  
146:6; 147:9; 151:1;  
158:12  
map 43:19, 20; 44:2, 2, 5,  
12, 14; 45:1; 50:3  
maps 20:12, 13, 16;  
44:16; 72:19, 20, 22;  
73:10, 21; 90:22; 110:18;  
111:6, 10, 12; 149:13, 14  
March 17:6  
Mark 58:18, 20  
marker 17:2  
markers 73:21  
market 21:2; 154:6  
markets 36:16; 56:6  
Marlene 68:8, 9  
Mary 86:11  
massive 73:18  
matches 22:8  
material 9:7; 13:16;  
66:11, 13; 139:6  
materials 16:10; 135:2;  
151:6  
math 91:7  
matter 47:14; 89:15;  
135:8; 138:11; 153:13

maximum 5:20  
Maxine 119:9, 10  
may 4:11; 9:8; 13:6;  
26:10; 41:1; 49:8; 64:12;  
69:14; 71:7; 72:7; 83:5, 7;  
84:6; 116:8, 9, 17; 146:17,  
19; 155:9; 156:2, 5  
maybe 35:5; 62:8  
mayor 5:9; 35:12, 14;  
37:21  
Mayor's 94:21  
mean 51:9; 94:9, 11;  
95:3; 117:21; 126:12;  
129:9; 133:18; 141:19;  
153:4  
meaning 85:22  
meaningful 120:16  
means 114:17  
measurable 117:2  
measure 146:8  
measures 2:14, 14, 19;  
3:3  
mechanism 3:6; 134:11  
Medford 42:19  
Medicine 157:6  
meet 7:18; 8:3; 17:9;  
29:19  
meeting 3:16; 11:21, 22;  
17:16, 17; 20:14; 45:6;  
86:10; 101:7; 103:11;  
129:10; 136:3, 19; 161:3,  
4, 19  
member 46:13  
members 53:2; 75:10  
memory 83:3  
mention 7:9, 11; 19:10;  
61:10; 67:16; 83:16; 86:22  
mentioned 3:16; 4:8; 5:3;  
40:9; 49:10, 11, 16; 79:18;  
81:1; 103:15; 153:12  
mere 16:19; 63:17  
merely 84:15  
merger 149:1  
message 91:16  
meters 122:20  
methane 13:21  
methodology 9:1  
Michael 5:5  
microphone 33:11;  
130:7  
middle 128:16; 149:19  
Midwest 56:10; 78:6  
might 6:8; 34:5; 51:10;  
55:13; 116:11; 130:21;  
131:15, 17; 132:21; 133:6;  
135:3; 138:17; 150:2;  
159:10  
migration 116:9, 11;  
140:9, 12, 17  
Mike 5:9, 10; 35:12, 14;  
104:10, 11; 125:10  
mild 136:8  
mile 53:17; 145:10, 15  
mileage 40:20

milepost 73:21  
miles 16:19, 22; 18:9;  
19:18; 34:7, 9; 38:8; 40:22;  
41:4, 19; 53:18; 54:7, 8;  
57:8; 64:6; 69:19; 87:22;  
88:18; 89:10; 104:20;  
107:19; 120:8; 128:20;  
138:8; 145:8, 9, 11; 146:2  
million 7:4, 5; 59:19;  
137:13  
Mills 5:9; 35:12, 13, 14;  
38:3  
mind 26:15; 103:7;  
130:18  
mine 17:1; 18:8  
miners 129:2  
mines 7:9, 11; 46:5;  
48:19; 49:2; 88:19;  
109:10; 112:3; 129:4;  
151:2, 7  
minimize 31:11; 74:8  
minimum 19:7; 25:5;  
68:18; 70:3; 71:12; 139:3  
mining 70:20; 86:12  
Minnesota 4:19; 94:8;  
102:16; 161:11  
minor 115:22; 116:1, 6  
minute 6:16; 11:1, 2, 3,  
12; 17:14; 32:7; 41:4;  
44:20; 51:2; 66:17; 78:22;  
91:22; 98:13; 104:5;  
118:1, 2; 128:11; 135:9,  
16; 138:18; 147:11  
minutes 5:19, 19; 6:2, 15,  
19; 28:2; 34:5; 75:3; 80:19;  
104:4, 6; 130:5; 135:15;  
143:9  
misconstrues 147:13  
misabeled 73:5, 12;  
86:21  
misleading 22:10; 49:21;  
83:15; 117:6  
Miss 104:18; 133:10  
misses 134:3  
Mississippi 17:5, 9, 20;  
18:3  
Missouri 102:14  
mitigate 2:6, 11; 37:17;  
46:9; 61:18  
mitigated 89:11; 144:6;  
154:18  
mitigating 133:22  
mitigation 2:14, 19; 3:2;  
10:8; 50:17; 54:1, 22;  
65:22; 71:9; 74:1, 9; 85:16,  
18, 21; 91:21; 117:18;  
132:22; 146:14; 154:9  
model 89:9  
modeling 15:13, 15  
models 106:11  
moment 75:19  
money 40:1, 3, 4; 93:3, 4;  
137:7, 10  
monitor 122:20  
monitoring 122:16, 19

month 14:11; 105:4  
months 13:6; 68:21;  
107:11  
monuments 74:12  
Moorcroft 63:3  
more 3:14; 15:14; 16:1;  
19:11, 16; 20:16, 19; 35:2;  
36:14; 37:10; 40:21; 42:3;  
49:5; 56:8; 57:20, 21, 22;  
63:19, 22, 22; 64:5; 68:14;  
69:15, 19; 71:11; 80:12,  
22; 82:21; 85:9; 95:7;  
96:11; 99:9; 106:2;  
111:13; 112:19; 113:9;  
114:11; 118:3; 119:5;  
129:12; 137:4, 5, 7;  
140:11, 13, 14, 16; 145:2;  
150:8, 10; 152:8; 159:8  
mortality 10:15  
most 4:5; 13:8; 26:1;  
29:11; 34:16; 58:6; 67:19;  
76:13; 77:1, 7; 85:10;  
88:17; 93:20, 21; 94:22;  
99:19; 101:13; 123:19;  
125:19; 136:10; 142:10;  
152:13; 154:13  
mostly 52:10; 62:16  
mother 61:21  
motions 82:12  
mountain 10:20; 52:17;  
144:11  
mouthful 32:8  
move 55:6; 84:18; 97:5;  
151:15  
moving 61:3; 89:12;  
122:3  
much 9:3; 18:9, 12;  
19:13; 20:16; 24:15; 25:8;  
33:6; 35:2; 39:10; 44:8;  
48:5; 50:2, 12, 16; 56:8;  
57:16; 72:4; 73:20; 74:2, 6;  
85:9; 88:14; 96:1, 9, 19;  
99:10; 100:3; 107:12;  
110:5; 113:16; 132:9;  
144:21; 145:2, 14, 17;  
147:17; 152:8; 161:5, 12  
must 15:12; 18:2; 76:4;  
77:9; 106:14  
mutually 32:2  
Myer 52:20  
myself 34:3; 59:22;  
61:22; 75:9

## N

name 6:22; 7:10; 19:4;  
20:6; 23:10; 24:11; 35:14;  
41:18; 45:22; 79:11;  
105:5; 107:15; 130:6, 19;  
139:17; 143:15; 148:11  
name's 53:5; 58:20;  
114:5; 155:5  
Nancy 12:13, 16; 62:11;  
68:5; 104:18; 105:8;  
122:17; 143:16  
nation 92:17

**national** 49:22; 50:4, 20;  
64:17; 72:1; 74:12; 89:10;  
91:17, 20; 92:4, 6; 98:19;  
102:5; 144:12; 157:1, 4, 6,  
7, 9; 158:16; 160:1, 5  
**Native** 102:5  
**natural** 43:7; 76:17;  
84:21; 85:2; 97:19, 21;  
108:10; 128:7; 155:10  
**naturally** 96:4  
**nature** 73:17  
**near** 46:11; 63:3; 87:1;  
102:10; 136:12  
**nearest** 19:17  
**Nebraska** 15:9; 157:7  
**necessarily** 48:15;  
90:19, 20  
**necessary** 14:8; 37:7;  
64:2  
**necessity** 102:12  
**need** 11:22; 23:1; 24:19,  
20; 29:20; 35:10; 37:2;  
48:5, 13; 54:22; 61:5; 62:5;  
72:9; 89:18; 98:22;  
106:11, 11; 121:17;  
123:15; 124:6; 126:10;  
128:8, 15; 131:13; 139:17;  
144:9  
**needed** 44:14; 84:20  
**needing** 20:6  
**needs** 5:19; 29:21; 30:1;  
36:12; 50:8; 81:21; 83:20;  
96:18; 106:2, 7; 107:4;  
118:17; 123:22; 133:21;  
155:1  
**negative** 121:6; 147:18  
**negotiate** 32:1; 46:16;  
154:1  
**negotiated** 31:22; 150:1;  
154:15, 22  
**negotiating** 2:21  
**negotiations** 108:22  
**neighbor** 55:21; 93:9;  
139:9  
**neighbors** 75:11;  
113:14; 138:4  
**neither** 81:14  
**NEPA** 8:9; 9:3, 7, 15  
**new** 14:3, 11, 22; 18:1;  
25:3, 4; 30:5; 36:4; 37:1;  
53:4, 16; 54:11, 14; 56:21;  
57:9; 61:8; 63:2; 67:17;  
81:11; 102:10, 14, 18, 18;  
107:17; 109:2; 111:18;  
113:5; 119:1; 127:19;  
129:12, 15; 137:22;  
142:14; 143:10; 146:21,  
22; 148:4, 4; 150:19, 19  
**Newcastle** 5:9; 33:19;  
34:15; 35:15, 17; 36:2, 18;  
37:13; 38:4, 8; 41:19;  
44:22; 88:13; 95:1; 110:4;  
143:17  
**Newscastle** 63:5; 82:14,  
15; 83:1  
**Newscastle's** 82:13

**newspaper** 136:1  
**next** 7:16; 12:14; 23:9;  
25:10; 28:21; 33:10;  
35:11; 37:22; 41:16;  
44:15; 51:16; 52:19;  
94:13; 98:9; 109:15;  
114:3; 119:9, 18  
**nice** 51:12; 100:3; 161:18  
**nifty** 39:7  
**night** 17:15, 17; 86:11;  
141:17; 161:8  
**nine** 43:7  
**nine-mile** 110:22  
**Ninety** 63:20  
**Niobrara** 97:8; 127:6;  
150:8  
**no-action** 75:15; 91:15;  
92:15; 95:4  
**no-build** 91:14, 15;  
92:13; 93:2; 99:8; 121:5, 6  
**nobody** 38:9; 81:13;  
93:20, 22; 122:10; 149:8  
**noise** 34:18; 57:7; 90:18;  
107:21; 110:17; 111:13;  
125:21; 141:18; 144:6;  
146:1  
**noisy** 126:1  
**nonbiased** 27:1  
**Nonconstruction** 48:9  
**None** 73:14; 118:10;  
153:12  
**nonsignificant** 144:9  
**nor** 20:3; 90:7  
**normally** 97:17  
**north** 46:19; 111:8  
**north-south** 67:20  
**northeast** 60:2, 3; 90:17  
**Northeastern** 92:8  
**Northern** 16:18; 46:3, 6;  
59:15, 16; 73:5; 128:10,  
13; 135:22; 152:1  
**northwest** 60:3, 4, 5  
**Northwestern** 58:3;  
86:14  
**not-so-rare** 51:9  
**notably** 123:19  
**note** 2:8  
**notes** 3:17; 129:16  
**notice** 12:5; 29:8; 158:7  
**noticed** 47:14  
**November** 19:13; 64:10  
**Nowhere** 7:8, 10, 12;  
131:8  
**NOx** 112:6, 13, 18, 22  
**noxious** 35:8; 43:4;  
61:13; 107:22  
**nuclear** 49:14  
**nuisance** 115:16  
**number** 2:10; 7:8; 8:13,  
15, 16; 11:6, 7, 8; 13:14,  
21; 15:14; 17:21; 18:4;  
24:14; 26:12; 47:20; 48:4;  
66:9; 71:2; 72:16; 83:14;  
84:2; 87:7; 101:18; 143:20

**numbered** 72:14; 83:17  
**numbering** 66:4; 72:13  
**numbers** 144:2  
**numerous** 10:12; 89:12;  
105:17

## O

**o'clock** 100:5  
**oath** 79:9  
**obey** 79:12  
**obeying** 80:10  
**object** 120:3  
**objecting** 25:22  
**objections** 129:15  
**obscure** 72:13  
**obtain** 146:16  
**obtained** 121:1  
**obtaining** 60:13  
**obtainment** 76:3  
**obvious** 90:16  
**Obviously** 4:3; 159:19  
**occupied** 95:16  
**occur** 109:1  
**occurring** 14:22  
**occurs** 134:9  
**odd** 145:11  
**off** 54:16; 104:6; 108:14;  
113:19; 125:22; 128:18,  
21; 135:20; 137:16;  
138:15; 139:11  
**off-rail** 90:13  
**offer** 8:20, 22; 70:9;  
146:16  
**offered** 37:15; 55:15, 20;  
86:9  
**office** 5:6, 8; 79:10, 15;  
120:21  
**officer** 136:4  
**offices** 27:4, 5  
**officials** 5:2, 12; 43:3;  
79:7; 87:17  
**offline** 161:3  
**offshore** 91:18  
**often** 151:10; 157:20  
**Oil** 14:9; 83:6, 9; 150:3, 4  
**old** 32:19; 35:6; 42:18;  
56:21; 61:8; 89:9; 91:19;  
142:11; 153:11; 157:2, 16;  
158:18  
**older** 42:18  
**One** 2:8; 5:10; 8:13; 11:1,  
2, 3, 6, 11, 12; 12:5; 13:3,  
15; 16:12; 17:14, 16, 17,  
18; 18:6; 25:19; 26:20;  
27:22; 29:10; 30:10; 32:7;  
34:15, 17, 21; 36:21; 38:3;  
40:20; 44:13, 16, 20; 45:1;  
47:14, 17, 20; 48:18; 49:5;  
50:5, 7; 51:2; 52:3; 55:7;  
57:9; 58:22; 61:1, 19;  
66:17; 70:6; 76:21; 78:22;  
91:22; 92:16; 95:21;  
97:16; 98:13; 102:22;  
105:14; 107:1, 3, 14;  
108:12; 112:16; 113:9;  
115:6, 19; 117:7; 118:1, 2;  
122:19; 128:11; 135:9;  
138:18; 139:2; 141:2;  
142:4, 15; 143:2; 147:11;  
148:20; 149:1, 4; 153:19;  
156:13; 161:7  
**one's** 77:7  
**one-fourth** 126:13  
**one-half** 53:17; 139:2  
**one-sided** 29:21  
**one-twelfth** 126:14  
**ones** 4:5, 16; 6:1; 27:8;  
50:7; 85:19; 102:3  
**ongoing** 36:12  
**online** 99:17  
**only** 7:5; 20:17; 21:9;  
24:15; 43:4; 50:2; 51:13;  
64:22; 70:21; 77:18;  
78:11; 80:4; 81:22; 85:19;  
89:5; 90:11; 91:9, 11;  
105:22; 106:1; 110:8, 10,  
22; 112:21; 117:2, 4;  
121:21; 123:8; 126:13, 20;  
127:7; 132:20; 144:20;  
145:10, 11, 14; 147:8  
**onto** 97:4  
**open** 71:2; 89:3; 127:11,  
18; 141:3  
**opening** 3:11; 26:17  
**operate** 119:21  
**operating** 70:11; 89:10;  
136:4  
**operation** 9:20; 37:4;  
46:13; 78:4; 80:2; 96:21;  
125:2; 146:16  
**operations** 64:18; 75:11;  
132:14; 155:11  
**opinion** 85:10; 88:19;  
94:17  
**opinions** 28:5; 106:20  
**opportunities** 89:4  
**opportunity** 12:19;  
35:16; 37:17; 47:12;  
51:20; 57:2; 59:20; 82:8;  
89:6; 93:15; 94:16, 18;  
120:15; 122:13; 130:1, 3;  
139:17; 148:7  
**oppose** 81:10  
**opposed** 19:5; 23:11;  
41:3; 58:11; 67:21, 22;  
68:1; 107:16  
**opposition** 94:10  
**option** 32:22; 33:5;  
90:12; 152:12, 13, 13, 15  
**oral** 3:15; 5:18; 6:5, 7;  
12:4  
**orange** 12:8; 112:4  
**order** 5:16, 21; 74:10;  
159:14  
**orders** 27:2, 3  
**ordinary** 66:10  
**organizations** 121:2  
**organized** 23:16; 46:15

**original** 49:11  
**originally** 58:10; 134:14  
**others** 63:10; 87:14;  
107:8; 113:7  
**otherwise** 11:16; 93:6  
**ought** 27:1; 28:15  
**out** 12:8; 16:21; 18:16;  
23:5; 26:15; 27:9; 31:15,  
15, 16, 17; 38:8; 45:14;  
75:1; 80:1; 91:10; 93:17;  
95:17; 103:13; 105:8, 11;  
107:7; 111:15; 118:17, 22;  
121:18; 122:4; 124:9;  
126:17; 128:6; 134:12;  
136:1; 137:10; 138:22;  
141:11, 12, 20, 21; 145:22;  
146:3; 149:7, 16; 150:11;  
158:11, 19; 159:1, 17, 19,  
20; 160:6; 161:14  
**outcome** 8:16; 18:1;  
121:3  
**outdated** 42:16; 149:15  
**outfit** 53:14  
**outside** 76:9  
**outweigh** 92:11  
**over** 3:10; 14:22; 26:21;  
69:1; 79:3; 88:16; 89:7;  
91:8; 97:7, 9; 99:3, 5;  
102:13; 105:15; 113:5;  
116:12, 15; 128:3; 134:8,  
18; 137:13; 139:12; 140:3;  
150:18  
**overburdened** 136:13  
**overhead** 47:18  
**overheads** 47:15  
**overlooked** 105:18  
**overpasses** 111:3  
**overstated** 134:15  
**overview** 101:11  
**Owatonna** 102:20  
**owls** 52:16  
**own** 29:4; 53:6; 65:19;  
76:12; 77:6, 7; 93:17;  
127:12  
**owned** 71:15  
**owners** 36:11; 65:7;  
76:10

## P

**P&SA** 74:10  
**p.m** 2:2; 101:2  
**Pacific** 86:13; 128:12;  
136:15; 149:4  
**page** 7:3; 13:19; 14:1, 13;  
20:20; 21:17; 22:4, 20;  
26:4, 6; 29:18; 31:8, 21;  
48:8; 49:10; 50:1; 62:18;  
84:4, 15; 85:5; 145:3, 4;  
146:6, 15; 156:8  
**pages** 7:8; 33:13; 64:1;  
66:6; 69:2; 72:14, 17; 75:2;  
83:15; 86:1, 6, 7; 144:1  
**paid** 36:10; 37:3; 65:20;  
122:1; 134:2; 153:20



<p>pain 125:14 paleontological 25:20; 26:2; 153:9 panel 6:10; 95:11 paper 95:13; 127:4 paragraph 7:16; 26:5; 31:8, 22; 154:10, 11 parcel 54:9 Pardon 29:1 Park 84:10; 89:11 parks 74:12 part 2:11; 14:7; 21:17; 28:12; 30:20; 40:7; 50:19; 62:18; 65:3; 70:14; 79:10; 91:18; 92:17; 106:22; 113:20; 122:18; 136:9 participate 93:5 participating 99:18 participation 69:5, 7 particles 16:17, 21 particular 94:6 particularly 10:18; 21:7; 102:9; 117:7; 123:20; 133:17 parties 3:4, 4; 9:15; 19:20; 20:7 partner 65:17 parts 154:9 party 96:2 Pass 51:19; 52:1; 60:21; 145:6 passenger 57:3 passive 87:9 past 3:1; 7:17; 53:10; 67:6; 137:18 pasture 46:11; 97:5, 5; 108:14, 17; 149:20, 20 pastures 108:16 patience 67:3 patient 101:21 Paul-somebody 105:5 pay 25:3; 38:18, 20; 39:20; 40:5, 7; 59:12, 18; 98:6, 7; 126:13, 20; 134:11; 139:2, 7; 150:10, 12 paying 90:19 peace 111:15 pending 8:12, 14, 17 people 13:4; 29:11; 31:14, 17; 33:15, 18; 34:8, 11, 12; 38:1, 18; 39:13; 41:9; 43:8; 50:17; 52:4; 55:14; 56:15; 58:5, 10; 63:12; 64:11; 65:20; 66:9; 67:1; 69:3, 14; 78:8; 82:10; 84:3; 88:13; 94:7, 11, 22; 95:6; 96:3, 8; 97:7; 98:2, 6, 7, 8; 99:9; 106:12; 107:7; 111:14; 113:10; 129:16; 136:18; 141:10, 10, 21; 148:19; 150:10; 151:12, 17; 153:20; 156:12; 158:12 people's 13:7</p>	<p>per 14:11; 21:3; 59:10 percent 21:3, 4, 10; 50:11; 63:11; 86:15; 87:16 percentage 21:10 perennial 145:7 perhaps 98:5, 6; 133:12 period 13:2, 11, 12; 19:8; 24:7; 25:6; 30:11; 68:18; 69:12, 13, 15; 88:1; 92:18; 107:10 permanent 36:5; 127:8 permission 31:18; 43:20; 55:6 permit 4:15, 19; 19:10, 21; 21:19; 71:1; 90:11; 91:15; 92:14; 103:6; 120:4 permits 14:10; 69:11 permitting 93:1 person 66:11; 78:15, 19; 156:15 personality 82:22 personally 57:21; 82:12 persons 9:10 perspective 148:14 phase 91:8 Phelps 45:18, 20 phone 21:15; 44:18 phonetic 5:3 phrases 115:5 pickups 127:10 picture 17:1 pie-in-the-sky 147:5 piece 149:17 pieces 148:19 Pierre 126:18 pipeline 64:19, 21; 155:16; 156:1 pipelines 155:9 pits 52:8, 9 place 20:12; 38:13; 39:22; 41:12; 47:2; 51:13; 54:2; 64:17; 85:2; 88:20, 22; 105:14; 106:13; 112:21; 115:6; 121:14; 127:21; 128:8; 134:17 places 16:14; 23:15; 40:8; 86:5; 113:7; 146:12 plain 51:6; 60:7 plan 38:6, 13, 14; 42:22; 54:14; 63:1; 93:5; 106:9; 117:19, 20; 156:19; 157:2, 6, 7; 158:4, 8, 13, 16, 19, 21, 22; 159:2, 2, 10, 11, 12, 16, 17; 160:1, 5, 10, 13, 20, 21 planned 106:3; 112:15; 156:21; 157:5 planning 53:20; 55:4 plans 15:10; 48:20; 71:5; 143:19; 157:3, 8, 15, 15, 20; 158:3, 14, 18 plant 63:5; 112:9 plants 21:2; 105:17 plastic 151:6</p>	<p>Please 6:1; 12:2; 45:17; 101:21; 119:6; 143:12 pleased 101:19; 150:22 Plum 55:7 plus 140:15; 152:17 pockets 149:9 point 52:12; 58:2; 105:19; 124:9; 133:11; 134:3, 12; 144:10 points 55:12; 135:11 police 119:15; 133:17 policy 10:8; 85:14, 18 polite 54:18 polluted 108:5 pollution 57:7; 62:2; 84:10; 89:9; 90:18; 98:21; 108:1; 125:21 poor 30:14; 53:9 poorly 105:20 popularity 128:6 populated 113:8; 123:21 population 36:18; 55:17; 56:3; 113:9; 147:20 portion 15:19; 106:1 portions 15:21 positive 92:14 possibility 67:15; 146:3 possible 57:3; 74:9 possibly 32:15 post-merger 136:15 potential 2:6; 3:7; 14:3, 14; 32:4; 37:18; 58:15; 102:11; 115:19; 123:10 potentially 9:10 pounds 19:13, 14; 63:22; 68:15 Powder 14:16; 46:5; 71:16; 109:9; 121:18; 122:4; 135:21; 137:1, 8 power 79:3; 112:9; 129:9; 136:12 practical 120:9; 151:11 prairie 10:7, 9, 16; 34:22; 52:14; 65:3; 144:21 PRB 14:21; 15:2 pre-existed 76:18 preaching 118:11 precious 26:2 preclude 41:14 precluded 10:10 predetermined 48:6; 114:22; 118:20 predicting 121:12 prediction 124:7 predictions 137:5 prefer 95:3; 141:6 preference 92:15 preferred 10:11; 11:10; 89:5; 145:9 prejudiced 118:18 prejudicing 114:14 preliminary 12:22; 101:12</p>	<p>preparation 87:11 prepared 4:10; 58:4 preparing 20:2 prescribed 92:12 prescriptions 157:8 presence 127:20 present 15:11, 22; 16:2; 48:22; 91:12; 125:8, 12; 146:9 presentation 26:17 presentations 101:4 presenting 75:8 presently 53:22; 54:13; 71:16; 74:5; 87:2 preserved 146:4 President 75:6; 82:20; 136:3 press 18:12 pressure 74:6 pretty 131:5; 141:3; 146:3 prevent 9:18; 90:2 prevention 117:20, 21 prevents 66:1 previously 10:2; 84:5 price 109:11 priceless 98:19, 21 prices 56:21 primarily 53:8; 125:1 primary 26:6; 76:21; 79:19; 85:5 prime 56:18; 153:2 primitive 44:1 prior 31:13; 53:8 priority 27:20; 60:15 private 25:21; 62:1; 65:9; 66:2; 72:1; 75:20; 76:2, 5, 22; 77:13; 91:19; 92:5; 94:3, 5; 109:4, 6; 126:12, 12; 127:12; 144:14, 16, 17, 19; 148:2; 152:10, 14, 20; 153:13; 154:14 privately 71:15 privileged 129:14 pro 96:18 probably 30:7; 33:19; 80:18; 97:22; 104:8; 123:12; 142:1; 150:18; 159:4 problem 42:21; 43:5, 13; 49:4; 61:1, 16, 18, 19; 112:22; 115:16; 122:11; 137:6; 138:20; 140:6, 17 problems 7:6, 13; 8:13; 41:5; 61:12; 76:8; 83:18; 112:2; 129:13; 136:6; 144:16, 17 procedural 12:9 proceed 107:6 PROCEEDINGS 2:1 process 2:12; 4:6; 12:12; 27:13; 37:2; 53:20; 60:13; 69:8; 78:17, 20; 81:20; 89:19; 107:1; 129:17;</p>	<p>131:20; 156:13, 16; 160:12 producing 89:2; 112:3 product 149:10 production 7:11; 70:20 productive 4:6 professional 54:19; 63:15, 18 profiles 50:13, 15 profit 75:20; 77:6; 148:2 profitable 78:3; 109:7 program 52:2 programmatic 4:14 prohibitions 146:11 project 2:17; 3:5, 8; 15:16; 17:19; 18:1; 19:6; 21:17; 23:11; 32:6, 11; 36:3, 8, 17; 37:1, 8, 14, 18; 45:8; 48:1; 50:18; 56:12; 58:11; 65:11; 68:20; 74:4; 75:10, 13; 82:17; 86:4, 18; 93:1, 10; 101:10, 11; 103:3; 113:21; 122:14; 124:11; 132:12; 135:1; 147:14, 17; 148:2 projected 73:13, 16 promises 91:21 promote 45:7 promotional 121:8; 134:15 proof 8:12, 17; 44:10 proper 51:13 properly 154:18 property 8:21; 32:21; 36:11; 42:22; 43:18; 60:6, 12; 62:1, 4; 70:7; 71:8; 73:20; 75:22; 76:2, 5, 10, 12, 21, 22; 77:7, 13, 20; 78:13, 16, 19; 79:4; 116:17; 134:8, 10, 13; 138:6; 146:19; 152:14, 16 proponents 17:18 proposal 47:13; 48:5, 20; 90:14; 103:5; 125:13; 142:10; 157:11 propose 139:2 proposed 4:21; 15:1; 30:22; 37:16; 39:18; 42:4; 46:19; 47:7; 49:9; 50:7; 52:13; 54:11; 60:2, 10; 87:6; 101:9; 102:18; 107:16, 17; 108:14; 109:2, 6, 10; 114:19; 115:20; 116:21; 120:4; 127:3; 132:2; 156:6 proposing 39:4; 64:16; 127:14; 140:19; 141:1; 142:7 proprietary 91:4 protect 26:1; 77:12; 106:13 protected 25:21; 60:20 protection 70:10; 75:22; 76:1, 20; 79:20; 155:1 prove 115:1; 125:17 proved 95:20</p>
---	---	---	---	--

provide 16:8; 56:10;  
101:10; 120:15, 15;  
147:22  
provided 133:1  
providing 131:7  
Provisions 64:18  
proximal 90:4  
proximity 116:21  
public 14:11; 19:17; 37:4;  
14; 48:4, 13; 64:9; 69:6, 7;  
76:4, 9; 80:2, 3; 89:4;  
91:19; 101:15; 120:5;  
126:18; 144:14; 161:19  
publicized 156:17  
publicly 153:14  
published 158:6, 8  
pull 112:17  
purchased 135:2  
pure 146:10; 147:5  
purpose 29:20, 22;  
79:19; 101:7; 131:7  
purposes 76:22; 130:17  
pursued 146:13  
pursuing 93:9  
pursuit 77:17  
put 23:1; 31:7; 39:4, 5, 8;  
40:1; 41:8; 46:10; 73:14;  
111:19, 21; 136:1; 137:7;  
138:10; 140:8; 142:15;  
148:20; 149:21; 151:9, 13  
puts 30:7  
putting 69:2; 137:9

## Q

qualified 107:7; 117:13  
quality 63:18  
qualities 145:22  
quality 13:14; 15:5;  
70:13; 74:11; 87:15;  
89:16, 18; 90:8; 98:20;  
106:8, 11; 110:18; 112:2;  
122:8, 19; 123:9; 124:17,  
17; 131:11, 11  
quantified 62:19  
quantities 124:8  
questionable 137:15  
quick 16:10; 34:5; 68:12;  
143:12  
quickly 124:1  
quiet 111:16; 141:6, 15  
quietness 141:12  
quite 31:2; 33:14, 21;  
39:12; 82:20; 88:11;  
116:7; 117:13  
quoted 127:3  
quoting 118:11

## R

Rabern 51:17, 18, 18  
rail 15:9; 16:9, 18, 21;  
30:22; 48:17; 54:16;

71:15; 73:16; 84:18, 21;  
85:1; 101:9; 109:9;  
116:21; 117:4; 121:17;  
146:16, 16; 149:1; 150:20;  
151:4, 4; 155:14  
railroad 15:11; 22:17, 18;  
24:5, 14, 19; 26:1, 9;  
30:14; 33:6; 34:1, 10, 16;  
35:3; 38:7; 39:3; 41:11;  
42:4; 43:4; 46:3, 3, 7, 9,  
10, 14, 15, 18, 20, 22;  
47:1, 3; 54:11; 55:21; 58:8,  
12; 59:2, 6, 11, 16, 16;  
60:17; 61:18; 62:1; 64:20;  
65:1; 70:10, 21; 72:21;  
73:13; 78:2; 81:9, 11; 85:7;  
86:16; 89:1; 91:17; 93:1;  
95:1, 3; 97:18; 98:3;  
107:18; 108:13, 18; 109:2,  
6, 10, 13; 110:16; 111:8,  
18; 112:10; 113:4, 12;  
115:2; 116:10, 12, 16;  
125:8, 12, 17; 126:20, 21;  
127:2, 14; 128:10; 135:7;  
138:2; 139:8, 8; 140:10,  
15, 21; 141:13, 15; 142:8,  
9, 14, 20; 143:2; 144:10;  
146:22; 148:14; 155:11,  
18; 157:19  
railroads 24:16; 35:9;  
38:17, 17; 61:11; 64:18;  
71:17; 86:14; 108:3;  
115:10; 124:4; 137:19;  
138:3; 142:4; 149:2;  
154:14  
rails 47:2  
railway 14:18; 107:17  
railways 141:4  
rain 18:10  
raise 127:21; 130:10  
raised 23:13; 98:15  
raises 67:15  
ranch 23:12; 29:4, 5;  
41:20, 21; 50:19; 53:16;  
54:3; 70:11; 97:6; 104:20;  
113:17, 20; 114:6; 119:21;  
137:21, 22; 138:1  
rancher 65:16; 107:15;  
140:1  
ranchers 29:22; 30:8;  
42:1; 53:9; 95:6; 102:6;  
109:4; 115:13; 147:21;  
149:6; 151:17  
ranches 24:1, 2; 31:12;  
72:10; 116:22  
ranching 24:1; 75:11;  
84:14; 107:20  
range 24:3; 60:10; 97:2;  
125:18, 22; 127:18  
Rapid 45:5, 6; 69:20;  
120:8, 10; 135:4; 161:9  
raptors 143:22  
rare 145:18  
rate 21:9; 103:3; 139:3  
rated 96:18  
rates 21:1; 86:15, 17  
rather 25:12; 82:11;

114:19  
ratified 76:15  
Ray 68:4  
Raymond 62:13  
reach 158:11  
reaches 90:3  
reaching 17:20  
read 19:19, 22; 23:7;  
27:14, 16; 28:15; 29:12;  
33:14; 42:1, 3; 51:20;  
62:11; 66:3, 19; 68:2, 5,  
15; 72:3; 82:9; 83:13;  
109:20, 20; 110:14; 112:5;  
155:20  
readable 20:16  
reader 72:5  
readily 19:16; 67:2;  
120:5, 13  
reading 20:3; 25:1;  
39:17; 72:17; 114:21;  
115:3; 120:17; 152:6, 11  
reads 79:10; 114:11  
Reagan 62:10, 10; 94:9  
real 30:13; 33:13; 36:16;  
93:5; 134:11; 140:20  
reality 135:1  
realize 33:19; 69:14;  
70:1; 84:9; 123:11  
really 5:19; 11:11; 15:20;  
27:15; 28:8; 67:17; 73:13;  
80:3; 98:22; 99:19; 105:7;  
113:3; 121:12; 140:2;  
144:12; 149:3, 22  
reason 15:16; 20:3;  
27:22; 28:1; 30:14; 158:17  
reasonable 64:5; 90:11;  
132:11  
reasonably 9:9; 15:18;  
17:10  
reasons 11:15, 17;  
24:14; 75:16; 143:20  
rebuild 30:14  
receive 4:20; 101:14  
received 19:20; 43:19;  
44:17; 52:3; 128:2; 157:11  
receiving 66:13; 103:11  
recent 36:6; 67:6  
Recess 81:6  
recognize 84:7; 132:11  
recognized 76:13;  
157:13  
recognizes 35:17  
recommend 99:7  
Recommending 161:2  
recommends 10:8  
reconstruct 102:13  
reconstructed 102:17  
record 3:19; 14:12;  
30:11, 13, 15; 35:14; 115:9  
records 124:4  
recovered 136:15  
recreational 89:3  
recyclable 49:8, 13  
recycle 49:14

redone 23:5  
reduce 37:10  
reduced 86:8; 115:12  
reducing 2:17  
reductions 9:18  
refer 20:11  
reference 7:9, 10, 12, 14;  
8:6; 9:5, 8, 13; 22:6; 82:18;  
83:12  
references 72:11;  
147:15  
referring 152:13  
reflectors 39:8  
reformation 146:8  
regard 90:7; 123:8;  
124:2; 131:12; 134:20  
regarding 53:4; 129:13,  
13  
regardless 91:21  
regards 4:18; 21:6; 43:18  
regional 90:15  
Register 158:7, 9  
regular 142:11  
regulars 136:18  
regulations 63:14  
regulatory 77:5  
reigned 77:2  
reiterate 5:14; 74:16  
rejected 50:14  
relate 123:13  
related 147:9  
relates 48:18  
relation 111:11; 112:9;  
124:16  
relationship 123:17  
relatively 94:11  
relevant 22:19  
relied 120:21  
relocate 46:18  
rely 56:7  
remain 77:20; 129:19  
remarks 3:11  
remember 34:21; 99:2, 4;  
124:5; 127:17; 129:1  
remind 119:4; 156:12  
remnant 144:21  
removed 43:9  
renewable 95:22; 99:1  
renting 53:14  
repairs 151:4  
repeat 37:12; 91:1; 128:4;  
143:9, 12; 148:5, 9  
repeatedly 85:11  
repetition 72:4  
replace 36:6; 98:18  
report 91:9, 13  
represent 85:17; 130:6  
representations 120:22;  
121:20  
Representative 5:7;  
68:10; 102:22; 120:3;  
123:2, 3

representatives 43:16;  
54:17; 153:22  
republic 77:11; 79:4  
request 13:11; 19:7, 15;  
25:15; 52:4; 63:19; 67:12;  
74:17, 20; 80:1; 87:22;  
107:10; 120:12  
requested 43:20;  
105:13; 106:21  
requesting 68:16; 69:9  
require 2:4; 54:6; 68:22;  
69:6; 155:13  
required 63:13; 67:1;  
71:12; 143:1; 147:15  
requirement 132:22  
requirements 55:3; 69:5;  
74:2  
requires 11:9  
requiring 21:3  
research 87:15  
researched 87:14  
reseeding 52:4  
resent 26:3, 22  
reserve 13:1; 23:5; 24:8;  
25:7; 80:13; 107:8  
residents 90:16  
resolved 8:15  
resource 42:22; 43:8;  
99:1  
resources 25:20; 26:2;  
56:13; 74:5; 85:6; 114:14  
respect 16:6; 76:5, 6  
respecting 161:7  
respond 13:7; 64:3;  
103:18; 156:14  
responding 3:22  
response 81:3; 131:18;  
132:4, 6  
responses 103:20  
responsibility 80:9;  
95:11; 160:19  
responsible 92:22  
responsibly 55:22  
rest 29:15; 93:8; 108:17;  
126:17; 156:18; 158:3  
result 51:3, 5; 86:16;  
102:12  
resulting 16:1  
results 101:12  
revegetating 52:5  
revenues 134:16, 22  
reverts 59:13  
review 16:10; 68:12;  
81:19; 101:13; 103:3;  
110:13; 120:11; 132:19  
reviewing 101:8; 103:6  
revised 89:19; 157:17, 21  
revising 51:14  
revision 156:22; 157:5;  
158:17; 160:2  
revisions 88:3  
revitalization 56:21  
Rhonda 94:14

rhyme 20:3  
rhythms 97:21  
Richard 51:17, 18; 62:9  
Rick 114:4, 5; 119:3;  
148:8; 152:4  
ride 60:9; 111:2; 127:10  
ridiculous 68:22  
ridiculously 105:21  
right 4:3; 7:14; 13:1; 23:6;  
24:8; 25:7, 15; 26:9; 33:11;  
34:8; 48:3, 3; 53:1; 59:16;  
60:14; 70:8; 73:15, 19;  
76:11; 77:6, 8, 9, 19;  
78:11, 12, 12; 80:13, 15;  
82:5; 84:12; 88:7; 107:9;  
111:15; 112:2; 113:1, 15;  
117:10; 119:16; 129:22;  
130:3; 138:15; 149:19;  
159:7  
right-of-way 44:6; 54:10;  
98:5, 6; 156:3  
rights 42:10; 44:5; 60:14;  
70:7; 75:18, 22; 76:2, 6, 9,  
14, 15, 16, 17, 21; 77:1, 1,  
13, 21; 96:6  
rights-of-way 155:8  
Ripley 119:10, 11, 13, 17  
River 14:16; 17:5, 9; 29:5;  
41:20; 42:9, 19, 22; 43:6,  
12; 46:5; 53:7; 59:18; 60:6;  
61:3, 8, 14; 71:16; 88:21;  
90:3; 102:14; 109:9;  
121:18; 122:4; 124:19;  
135:21; 137:1, 8; 145:7  
road 37:6; 41:20; 68:9;  
88:17; 123:21; 131:6;  
133:5; 142:11, 19  
roadmaster 137:22  
roads 10:14; 39:6; 52:8;  
72:22; 73:4, 11; 86:20;  
142:16; 150:3  
Robert 5:6; 75:3, 6  
Rochester 39:19; 89:20  
rocks 125:14  
rogues 145:19  
role 103:2  
roll 57:15  
Ron 135:13, 13, 17;  
148:4, 6, 8, 9, 10  
Ronald 94:9  
room 44:22; 153:17  
rose 136:21, 22  
route 18:12; 42:7; 44:13;  
45:15; 46:19; 50:12; 56:5,  
10; 70:8; 106:2; 108:14;  
111:18, 20; 112:17;  
117:15; 129:5; 132:7, 9;  
133:3, 7; 148:18  
routes 44:1; 46:7  
routine 97:10  
rules 5:15  
rumbling 141:18  
run 35:3; 132:12; 150:18  
run-around 117:13  
running 43:12; 52:13

runoff 42:14; 60:9  
runs 33:4; 59:2; 73:7  
rural 75:18; 126:15

**S**

S-l-a-g-l-e 139:19  
sack 125:14  
sacrifice 71:14; 148:1  
sacrificed 149:5  
safe 142:15; 143:2, 3;  
161:17  
safety 30:11, 13, 15;  
39:1, 11; 67:17; 87:8;  
115:9; 121:10; 142:9  
sale 57:21; 91:20  
sales 134:4, 6, 20, 22  
Salt 99:3  
same 6:5; 8:11; 12:3;  
16:3; 29:18; 34:11; 44:12;  
49:19; 50:15; 60:18;  
64:12; 74:19; 83:10;  
87:10; 101:22; 106:20;  
111:5, 21; 129:5; 141:6;  
153:2  
Santa 16:18; 61:2;  
128:10; 135:19, 22  
save 93:2  
saw 99:3, 4; 111:6  
saying 27:8; 39:2; 94:21;  
130:18  
scaling 70:20  
scare 30:3, 7; 118:4  
scattered 144:20  
scenario 159:22  
scenes 65:3  
scenic 109:12  
schedule 74:19  
schedules 146:13  
school 41:12; 111:3  
schools 37:5; 55:18  
scientific 9:5; 91:5;  
144:22  
scope 17:7; 53:11; 60:20  
scoping 11:8; 27:13;  
111:7; 122:12; 131:20;  
132:19; 160:14  
searches 71:3  
season 61:9  
seasonal 116:8  
seasons 13:5  
second 8:1; 74:20; 86:14;  
92:19; 107:13; 129:8  
Secondly 101:10  
Section 4:15; 60:3, 4, 5;  
63:13; 67:1; 79:2; 91:6;  
114:13; 122:1; 138:13;  
152:11  
sections 84:22; 113:18  
sector 144:16, 17  
secure 77:20  
sediments 62:3  
seed 53:13

seeds 52:5  
seem 31:5; 85:2; 145:11  
seems 27:19; 28:4; 48:6;  
49:2; 121:7; 131:4; 133:10  
sees 17:22  
selected 160:3  
selection 114:14; 118:18  
sell 71:8; 149:10  
selling 138:5  
semi-retired 64:2  
Senator 5:5  
send 91:16; 103:15  
sense 20:2; 49:18; 56:5,  
9; 153:7; 159:4  
sensitive 5:22  
sensitivity 74:3  
sent 3:21; 44:12, 15; 45:9  
separate 48:21  
separated 39:4, 6, 11  
separating 87:2  
separation 142:12  
September 60:15; 136:2  
serious 107:20; 118:7  
seriously 51:11  
servants 80:4  
serve 15:17, 20; 114:17;  
122:14; 151:10  
served 71:17; 151:11  
service 8:12; 36:13;  
53:14; 57:4; 65:10; 71:22;  
91:10; 92:16; 93:16, 21;  
106:10; 128:3; 136:16;  
140:5, 7, 19; 146:17;  
153:10; 155:7; 156:19, 21;  
160:11, 20  
serviced 48:19; 137:13  
services 36:12; 37:3, 7;  
48:17; 65:21; 128:15;  
133:16  
SESSION 101:1  
set 6:15; 88:8; 104:20;  
105:10; 106:17; 107:6;  
136:19; 140:15  
setting 17:7  
settling 125:22  
several 21:15; 47:13;  
50:6; 52:1; 53:12; 86:5;  
95:15; 113:18; 115:3  
severe 42:20  
shade 49:20  
shall 63:14; 78:15, 18;  
109:20; 114:13, 17;  
117:19  
shape 127:15  
share 32:5, 10, 13;  
106:20; 127:7  
sheet 99:15; 103:12, 13  
Shieffer 48:2; 78:2;  
82:21; 87:4; 106:18;  
153:19, 20  
shift 144:15  
shipped 7:5  
shipping 13:5

shop 151:4  
short 68:20; 80:12;  
154:10, 11  
short-sighted 92:5  
shorter 18:12  
shortfall 7:13  
shove 126:22  
show 8:17, 19; 43:20;  
44:10; 50:13; 62:22;  
66:22; 67:4; 72:21; 73:14;  
92:20; 99:22; 146:21;  
147:2, 10; 149:15  
showed 44:5; 105:3  
showing 84:19  
shown 61:13; 73:10;  
85:18; 87:3; 146:1  
side 14:15; 34:1, 10; 39:3,  
9; 111:8, 9; 125:14; 138:3,  
12  
sides 95:15; 116:10;  
138:2  
sightings 73:22  
sign 80:17, 20  
signed 5:21; 119:5  
significant 125:3, 4;  
133:14; 136:22; 144:13;  
152:18, 20; 156:7  
significantly 156:5  
silence 141:12  
silent 141:20  
silly 39:20  
silt 43:11  
similar 155:10; 156:2  
similarly 14:2; 86:17  
Simmons 107:13, 14, 15;  
125:6, 7, 11; 128:12  
simple 115:17  
simply 70:2; 73:9; 98:18;  
120:9; 132:10; 135:5  
sincere 82:10  
single 107:1, 3; 123:1  
site 99:16  
sites 16:11; 105:16  
sitting 79:21; 95:11;  
112:12  
situation 35:7; 133:7  
situations 132:20  
six 107:11  
size 69:22; 135:1  
sizes 55:18  
skip 45:11  
Slagle 139:14, 15, 20, 22  
slight 115:6  
slim 117:14  
small 36:22; 56:1, 19, 22;  
124:8; 136:2  
smelly 126:1  
smog 99:3, 4  
smoke 43:11  
sneaky 83:2  
so-called 57:7  
social 147:19  
society 77:8

soil 61:4, 9  
solar 128:7  
sold 94:1  
sole 132:20  
solely 160:19  
solemnly 79:11  
solution 80:1  
solutions 76:8  
solve 43:3; 61:16  
solved 49:4  
somebody 150:18  
somebody's 40:12  
somehow 134:2  
someone 57:14; 116:5;  
138:21, 22; 149:10  
sometimes 117:9;  
132:15  
somewhat 136:7  
son 23:9  
son's 57:11  
soon 54:10; 128:5;  
152:19; 153:9  
soot 108:4; 126:5  
sorry 28:20; 45:21; 68:2,  
7; 80:11; 119:10  
sort 52:4  
sought 66:9, 11, 12  
sound 3:19; 28:14; 39:10;  
98:20; 111:20; 117:16  
Sounds 47:10; 117:14  
source 8:2; 9:21; 21:6;  
54:15; 117:11; 156:8  
sources 9:6; 83:6, 8, 11  
South 4:18; 10:13; 21:13,  
21, 22; 24:12; 30:8; 41:19;  
43:22; 45:15; 46:1, 19;  
53:7; 56:17; 57:5; 58:21;  
59:1, 3, 4, 11; 60:11;  
61:15; 63:4, 9, 11; 67:19;  
87:1; 88:18, 21; 89:21;  
94:8; 97:9; 111:9; 119:21;  
124:18; 126:19; 127:4;  
143:17; 150:22; 153:2;  
161:10  
southeast 15:2  
southern 73:6; 128:14  
sovereign 77:15; 79:6  
space 56:2; 89:3  
spaces 91:19; 127:11;  
141:3  
speak 5:21; 12:14; 35:16;  
45:21; 59:21; 80:17; 82:8;  
106:19; 119:5, 6; 129:9;  
130:1, 5; 139:16; 143:8;  
153:21; 155:6  
speaker 6:20; 24:11;  
35:12; 37:22; 52:20; 82:6;  
88:7; 94:14; 101:17;  
102:2, 21; 104:8, 10, 11,  
12, 14, 15, 16; 107:12, 13;  
109:16, 17, 19, 21, 22;  
114:3, 4; 118:1; 119:3, 9,  
12, 15, 18, 19; 125:6, 9;  
128:11; 129:6, 12; 138:18;  
139:14, 21; 143:10;

147:11; 148:5; 152:3;  
155:3; 156:11; 159:9, 13;  
160:8, 15; 161:1  
**speakers** 5:10, 17; 12:1;  
80:22; 143:10; 148:5, 9;  
156:12  
**speaking** 36:1; 38:11  
**speaks** 156:9  
**special** 50:8; 54:20; 55:2  
**species** 10:9, 11, 19, 19;  
157:22  
**specific** 20:12; 33:8;  
120:6; 123:12  
**specifically** 4:7; 12:12;  
20:19; 131:19  
**specifies** 9:4, 15; 11:12  
**speculation** 147:5  
**speculative** 121:9, 13  
**spell** 130:6; 139:17;  
148:10  
**spelling** 130:18  
**spend** 25:17; 97:14  
**spent** 35:19, 20; 122:6;  
137:14  
**spill** 124:15  
**spilled** 131:14  
**split** 113:18; 142:16  
**spoken** 130:9, 13; 148:7  
**spots** 112:16  
**spread** 43:3; 108:3  
**Spring** 51:7  
**stabilize** 36:17; 37:3  
**stable** 36:14  
**stacked** 49:1  
**stage** 129:19; 157:13  
**stand** 21:11; 35:22;  
145:13  
**standard** 11:14; 17:10  
**standing** 115:17  
**start** 25:12; 106:21;  
107:5; 119:1; 120:1;  
135:20  
**started** 6:14; 101:3;  
104:21; 151:3  
**starting** 19:22  
**starts** 60:7  
**state** 5:1; 13:17; 14:14;  
42:13; 43:2; 59:11; 60:8;  
68:9; 70:18; 77:16; 78:18;  
79:6, 8, 14; 86:7; 95:19;  
115:10, 21; 124:18; 134:7;  
142:7; 152:7, 16, 19  
**state's** 69:22  
**state-owned** 152:18  
**state-specific** 70:5  
**stated** 17:8, 18; 45:6;  
48:8; 86:12; 92:15; 149:22  
**Statement** 4:10; 7:6; 9:7;  
12:20, 21; 23:3; 26:3;  
45:13; 49:22; 51:15;  
63:17; 68:13; 85:4; 88:15;  
94:18; 95:8; 103:4, 19;  
114:11, 17; 117:7, 13;  
118:22; 120:18; 122:17;

147:18  
**statements** 94:22; 115:3  
**states** 7:4, 16; 11:14;  
14:1; 20:21; 21:20, 20;  
22:21; 23:21; 77:12, 14;  
79:13; 80:7; 90:7; 116:3;  
145:16; 146:15  
**stating** 20:22  
**stay** 41:6; 57:12  
**STB** 3:1, 6; 30:21; 32:1;  
53:2; 67:15; 71:1; 81:9;  
86:2; 87:4; 90:6, 12; 92:19;  
93:3  
**Stearns** 94:14, 15; 98:14  
**step** 150:15  
**sterilize** 10:13  
**STEVE** 2:3; 4:8; 104:9;  
137:17  
**stewards** 92:16  
**stick** 83:5  
**still** 11:8; 27:18; 28:8;  
93:8; 158:17  
**stipulations** 94:4  
**Stodart** 19:3, 4, 5; 23:9,  
10  
**stop** 89:19  
**stopped** 132:15, 16  
**storm** 88:11; 129:10  
**storms** 13:6; 125:16  
**straight** 40:14; 123:17;  
155:21  
**stream** 43:7; 73:17;  
146:7, 10  
**streams** 16:2; 73:3  
**street** 59:7; 97:12  
**strengthen** 36:16  
**strengthened** 36:14  
**stretch** 125:2  
**strewn** 16:21  
**strictly** 94:20  
**struck** 107:5; 114:9;  
120:17  
**structure** 133:2, 6  
**structures** 115:22  
**struggling** 56:20  
**studied** 63:12; 67:11  
**studies** 16:8; 62:21;  
66:21; 67:4, 14, 14; 112:6;  
7, 19; 123:13; 147:7, 10  
**study** 17:5; 18:2; 55:9;  
63:19, 21; 64:3, 8; 85:3;  
113:22; 126:4; 147:1  
**studying** 106:2  
**stuff** 153:11  
**stupid** 22:13  
**styles** 136:10  
**subject** 29:18; 72:6  
**submission** 49:11  
**submit** 6:11; 12:2; 23:6;  
45:17; 69:1; 99:13, 15;  
103:21; 161:15  
**submitted** 3:6, 18, 20;  
86:10; 131:21

**submitting** 6:7; 103:10  
**substantial** 21:5; 140:14  
**substantiated** 118:10  
**success** 77:18, 19; 86:4,  
18; 96:20  
**successful** 78:3  
**suddenly** 27:5  
**suffer** 62:22; 129:5  
**sufficiently** 90:5  
**suggest** 123:15  
**suggested** 122:10  
**suggestion** 90:10;  
131:21; 132:18  
**suggestions** 54:21  
**suggests** 89:18; 90:9  
**suitable** 116:18; 146:20  
**sulphur** 56:6  
**summarily** 123:7  
**summarize** 6:17  
**summary** 21:18; 29:9,  
10, 10, 19; 31:21; 83:15;  
85:15  
**summer** 136:8; 142:3  
**sun** 128:7  
**superseded** 157:4;  
158:16  
**suppliers** 135:4  
**supply** 113:19  
**support** 38:6, 6; 47:6;  
56:11; 79:12; 80:6; 95:1, 4,  
5  
**supports** 20:21; 36:19;  
37:14; 38:4; 75:15  
**suppose** 31:18  
**supposed** 26:19; 31:1;  
48:11; 65:16; 105:8;  
116:13; 143:1; 145:1;  
147:16; 154:17  
**supposedly** 31:13;  
108:21  
**supreme** 77:2  
**sure** 22:11; 33:7, 9, 13;  
34:19; 38:5; 81:12, 15, 18;  
82:2, 11; 83:10; 94:6;  
111:10; 113:16; 129:22;  
130:8; 143:13; 149:17;  
154:17  
**Surface** 22:12; 28:7;  
30:17; 47:18; 65:22;  
124:16, 17; 126:3; 131:11;  
142:22; 154:16; 160:18  
**surfacing** 137:12  
**surrounding** 155:22  
**survey** 36:20; 43:14, 21;  
55:10  
**surveyed** 45:11  
**surveyors** 43:17; 44:9  
**survived** 56:16  
**suspect** 40:8  
**sustaining** 36:22  
**swear** 79:11  
**swift** 10:20  
**switch** 104:13  
**switches** 151:9

**system** 15:22; 30:5, 5, 7;  
66:4, 16; 72:13; 122:18;  
133:18; 149:1; 151:20

**T**

**T&E** 157:22  
**table** 20:4; 21:8, 12, 18;  
32:17, 20; 33:8; 106:5;  
115:4; 134:13, 18  
**tables** 8:20; 32:16; 116:3  
**tactics** 30:3; 118:5  
**takeover** 149:1  
**talk** 3:13; 18:11; 113:13;  
114:9; 115:15; 118:5, 14;  
121:9; 131:14; 147:7;  
154:9  
**talked** 27:7; 31:19; 153:8  
**talking** 7:20, 22; 22:8;  
45:19; 117:8; 122:6;  
133:12  
**talks** 121:5; 131:18  
**task** 97:17  
**tax** 8:20; 24:3; 32:21;  
41:9; 59:13; 66:19; 134:6,  
8, 13, 16, 22  
**taxable** 36:9  
**taxes** 8:21; 24:3; 36:10,  
11; 37:3; 59:10, 12; 134:1,  
2, 4, 4, 10, 21; 147:13;  
150:10  
**taxpayer's** 32:12  
**taxpayers** 151:17  
**team** 89:16  
**tear** 149:18; 151:19, 20  
**tearing** 109:11  
**tech** 91:13  
**technical** 91:9  
**temporary** 60:16  
**ten** 43:7; 59:9  
**tendencies** 97:20  
**terms** 72:6, 9; 122:4;  
134:7  
**terrain** 97:19  
**terrible** 30:13  
**testing** 154:17  
**Texas** 16:18  
**Thanks** 24:10; 33:7;  
94:16; 135:12; 159:8  
**Thanksgiving** 13:9  
**that'd** 130:19  
**Therefore** 13:11; 15:17;  
74:9; 109:3; 118:16; 156:4  
**thing's** 149:16  
**thinking** 35:5  
**third** 8:5; 48:16; 71:21;  
86:16; 92:10; 101:4, 11  
**Thornhill** 45:4, 5  
**though** 42:13; 64:1; 98:4;  
108:21; 113:8; 130:14  
**thought** 99:5  
**thousand** 59:10  
**thousands** 16:22; 94:7

**threat** 45:13  
**threaten** 154:2  
**threatened** 10:19; 52:14;  
105:16  
**threatening** 45:10;  
126:13  
**three** 8:16; 11:9; 12:21;  
13:6; 35:21; 47:16, 17;  
104:3; 110:15; 119:4;  
124:12; 148:21  
**throughout** 13:1; 30:3, 9;  
72:6; 132:9  
**throw** 118:22  
**thrown** 23:4; 118:17  
**Thunder** 50:20; 108:15,  
15; 110:21; 114:1; 157:9  
**thus** 17:20  
**tied** 148:20  
**tight** 56:2  
**till** 159:17  
**times** 7:19; 8:4; 13:3;  
18:14; 34:3; 38:22; 52:1;  
97:16; 139:3  
**today** 4:22; 5:4, 17; 7:1;  
16:13; 31:19; 68:8, 11;  
88:14; 94:17, 19; 95:13;  
99:15, 21; 129:9; 161:13  
**together** 2:21; 37:17  
**told** 43:16; 44:2, 13, 21;  
45:3, 5; 48:2; 50:20; 105:7;  
111:19; 119:16; 138:10;  
145:3  
**tomorrow** 161:8  
**tongue** 82:22  
**tonight** 82:8; 103:1, 11,  
14; 110:1; 161:6  
**tonight's** 101:7  
**tons** 7:4  
**topic** 4:7  
**total** 21:14; 22:1; 120:19;  
145:8  
**totally** 101:5  
**tourism** 57:3, 4  
**tourists** 70:15  
**touted** 27:19; 85:14  
**toward** 120:2  
**town** 33:20; 34:7, 9;  
79:16; 111:14, 17; 136:2,  
19  
**towns** 41:8; 55:19; 56:19,  
22; 126:17  
**townspeople** 147:21  
**toxic** 43:11  
**track** 18:8, 10; 34:1, 10;  
46:11; 49:9; 52:13;  
116:10; 122:21; 131:6, 8;  
132:13; 133:5; 137:16, 22;  
138:9  
**tracks** 47:2; 52:6; 113:19;  
116:12; 125:19; 137:15;  
140:16  
**tract** 50:5  
**tracts** 50:2, 6  
**Tracy** 113:14

<p><b>traffic</b> 15:18; 106:8</p> <p><b>train</b> 37:10; 57:3, 8; 59:5; 61:2; 84:11; 90:18; 122:9; 123:1, 5, 6; 128:20, 22; 132:5, 14, 21; 133:7; 141:17; 142:12</p> <p><b>train's</b> 112:11</p> <p><b>trains</b> 15:8, 12, 14; 39:21; 49:1; 88:21; 89:12; 90:17; 92:5; 108:1, 6, 8; 112:17; 122:22; 125:19, 22; 126:2; 128:18; 132:3; 137:16; 141:16</p> <p><b>transcribed</b> 3:18</p> <p><b>transcript</b> 130:17; 143:14</p> <p><b>transload</b> 17:12</p> <p><b>transport</b> 155:15</p> <p><b>transportation</b> 7:6, 13; 16:10; 22:12; 28:7; 30:6; 18; 47:18, 19; 66:1; 78:9; 86:7; 91:8; 92:4; 101:18; 126:3; 142:22; 154:16; 160:18</p> <p><b>transporter</b> 49:6</p> <p><b>travel</b> 146:2</p> <p><b>traveling</b> 15:8</p> <p><b>travels</b> 128:22</p> <p><b>treasure</b> 91:20; 98:19</p> <p><b>treated</b> 6:4; 12:3</p> <p><b>trends</b> 53:10</p> <p><b>trespassers</b> 139:11</p> <p><b>tribal</b> 102:5</p> <p><b>tributaries</b> 16:3; 90:4</p> <p><b>tributary</b> 42:8</p> <p><b>tried</b> 45:4; 46:17; 158:11; 159:6</p> <p><b>trouble</b> 23:14, 19</p> <p><b>trucking</b> 24:4</p> <p><b>trucks</b> 127:10</p> <p><b>true</b> 41:2; 143:21</p> <p><b>try</b> 20:6, 10, 12; 40:2; 63:6; 104:16; 115:1; 118:5</p> <p><b>trying</b> 23:17; 25:22; 28:3; 66:8; 111:18; 125:18; 137:7</p> <p><b>Tubbs</b> 58:19, 20, 20; 60:12; 98:1</p> <p><b>tube</b> 145:18</p> <p><b>turn</b> 3:10; 36:10</p> <p><b>turned</b> 16:11</p> <p><b>twice</b> 140:11</p> <p><b>two</b> 3:15; 8:15; 11:7; 13:8; 22:2; 42:17; 43:5, 22; 48:4; 53:18; 62:6; 71:17; 84:22; 87:13; 112:8; 116:10; 134:8; 140:13; 148:18, 19; 151:3; 157:2</p> <p><b>type</b> 50:15; 54:8; 132:2</p> <p><b>typed</b> 127:22</p> <p><b>types</b> 14:5; 56:8; 135:1</p> <p><b>typo</b> 155:20</p>	<p><b>U</b></p> <p><b>U.P.</b> 74:10</p> <p><b>U.S</b> 5:5, 7; 71:18; 78:15; 79:2; 87:20; 91:10; 92:16; 103:2</p> <p><b>U.S.C</b> 8:10</p> <p><b>ultimately</b> 124:21</p> <p><b>unable</b> 109:22; 113:17</p> <p><b>unacceptable</b> 64:11</p> <p><b>unaccessible</b> 66:15</p> <p><b>unavailable</b> 67:9; 87:21</p> <p><b>unbiased</b> 28:14; 114:12; 116:14; 119:1; 121:22</p> <p><b>uncertainty</b> 17:11</p> <p><b>under</b> 35:22; 70:9; 108:22; 111:7; 117:10; 123:2, 4; 124:14, 20; 132:22; 134:16; 149:21</p> <p><b>undercutting</b> 137:12</p> <p><b>underestimated</b> 11:6</p> <p><b>underground</b> 64:22</p> <p><b>underpass</b> 55:1; 149:21</p> <p><b>understands</b> 81:12</p> <p><b>understated</b> 147:20</p> <p><b>understood</b> 64:9</p> <p><b>undisturbed</b> 108:9; 109:12</p> <p><b>unemployed</b> 93:13</p> <p><b>unexpectedly</b> 105:9</p> <p><b>unfair</b> 71:4; 105:20</p> <p><b>unfamiliar</b> 84:6</p> <p><b>unhealthy</b> 126:10</p> <p><b>uninterrupted</b> 141:7</p> <p><b>Union</b> 86:13; 128:12; 136:14; 149:4</p> <p><b>unique</b> 54:3; 102:2</p> <p><b>United</b> 21:19; 77:11, 14; 79:13; 80:7</p> <p><b>units</b> 124:12</p> <p><b>University</b> 43:22</p> <p><b>unless</b> 9:8; 11:15; 149:3; 150:5, 14</p> <p><b>unlikely</b> 9:22; 115:8; 124:2</p> <p><b>unnecessarily</b> 71:22</p> <p><b>unnecessary</b> 46:21; 69:2; 70:22; 71:21; 107:18; 109:11</p> <p><b>unreal</b> 25:16</p> <p><b>unsatisfactory</b> 44:3</p> <p><b>unsubstantiated</b> 91:3</p> <p><b>unsupported</b> 10:4</p> <p><b>untrue</b> 26:11</p> <p><b>untrustworthy</b> 93:9</p> <p><b>unwilling</b> 65:17</p> <p><b>up</b> 2:5; 3:11; 5:21; 6:17; 16:11; 17:20; 25:15; 30:10; 31:2; 33:18; 42:8; 49:1; 58:22; 80:18, 21; 88:8; 99:18, 22; 104:20; 105:3, 10; 106:17; 108:20;</p>	<p>109:11; 111:19, 22; 117:22; 119:5, 6; 125:9; 129:16; 130:5, 11, 16; 135:12; 137:21; 138:9; 140:8; 141:15; 142:18; 145:13; 148:4, 15; 151:7</p> <p><b>up-to-date</b> 66:16</p> <p><b>updated</b> 13:18</p> <p><b>updating</b> 13:18</p> <p><b>upgrade</b> 30:5</p> <p><b>upgraded</b> 15:22</p> <p><b>upgrades</b> 71:18</p> <p><b>upon</b> 77:9; 88:15</p> <p><b>ups</b> 148:22</p> <p><b>upstart</b> 91:16</p> <p><b>Upton</b> 63:3</p> <p><b>urge</b> 161:15</p> <p><b>use</b> 29:15; 66:1; 85:14, 17; 89:1, 5; 93:4; 104:11; 106:4; 118:21; 125:18; 128:8; 134:21; 152:16; 154:12; 155:15, 19, 20, 21; 156:1</p> <p><b>used</b> 9:17; 11:13, 15; 13:17, 20, 22; 15:15; 20:2; 22:6; 30:3; 42:11; 50:22; 104:9; 115:5; 124:11; 137:9</p> <p><b>useless</b> 87:20</p> <p><b>uses</b> 155:12</p> <p><b>using</b> 116:14; 118:4, 5</p> <p><b>usually</b> 69:3</p> <p><b>utilities</b> 17:21</p> <p><b>utility</b> 17:1; 59:12</p> <p><b>utilization</b> 21:4; 58:9, 14</p> <p><b>utilize</b> 95:21</p>	<p><b>V</b></p> <p><b>V.L</b> 57:17</p> <p><b>vacate</b> 18:15</p> <p><b>vacation</b> 89:6; 105:10</p> <p><b>vainly</b> 71:3</p> <p><b>Valley</b> 61:8; 88:21</p> <p><b>valuable</b> 40:1; 62:4; 96:10, 11; 113:9</p> <p><b>valuation</b> 36:9; 59:10</p> <p><b>value</b> 96:17; 97:13; 106:12; 144:22; 148:22; 154:7</p> <p><b>valued</b> 152:8</p> <p><b>values</b> 116:17; 136:7; 146:19</p> <p><b>varies</b> 155:19</p> <p><b>various</b> 43:2; 72:12; 83:18; 102:5, 8; 136:10</p> <p><b>vary</b> 155:15</p> <p><b>vehicle</b> 132:17; 133:4</p> <p><b>vehicles</b> 131:19; 132:4; 7; 139:5; 142:13</p> <p><b>venture</b> 109:7</p> <p><b>verifiable</b> 91:5</p> <p><b>Vern</b> 28:18, 21; 29:3;</p>	<p>127:9, 17</p> <p><b>version</b> 87:19</p> <p><b>versions</b> 70:1, 2</p> <p><b>versus</b> 84:21</p> <p><b>vested</b> 121:2</p> <p><b>VI</b> 20:20; 49:9; 86:1</p> <p><b>viable</b> 22:22; 30:6</p> <p><b>videotaping</b> 3:17</p> <p><b>view</b> 10:3; 84:7; 86:2; 107:11; 144:11</p> <p><b>viewpoint</b> 56:4</p> <p><b>views</b> 84:9</p> <p><b>VII</b> 79:2</p> <p><b>VIII-B</b> 144:1</p> <p><b>visit</b> 10:2; 104:19</p> <p><b>visited</b> 84:5</p> <p><b>visitor</b> 10:1; 84:4</p> <p><b>visitors</b> 90:16</p> <p><b>visual</b> 123:8; 144:7</p> <p><b>voices</b> 98:14</p> <p><b>Volume</b> 7:7; 8:19; 9:16; 16:7; 20:20; 21:8, 12, 16; 22:4, 20; 25:19; 31:8; 32:17, 20; 48:7; 49:9; 50:1, 13; 57:11; 62:17; 84:4; 85:15; 86:1, 6, 6; 91:11; 144:1</p> <p><b>volumes</b> 29:15; 83:17, 18</p> <p><b>voted</b> 58:5</p>	<p>32:5; 84:2</p> <p><b>weather</b> 99:21; 110:1; 146:12, 14; 161:13</p> <p><b>Web</b> 99:16</p> <p><b>weed</b> 42:20; 61:19; 62:3</p> <p><b>weeds</b> 35:8; 43:4; 61:13</p> <p><b>week</b> 105:2; 161:9, 9</p> <p><b>weeks</b> 12:22; 41:22</p> <p><b>Wehri</b> 82:6, 7; 94:20; 114:4, 5, 5; 118:2; 152:5</p> <p><b>weighs</b> 63:22; 68:14</p> <p><b>weight</b> 137:16; 147:17</p> <p><b>welcome</b> 3:15; 5:4</p> <p><b>wells</b> 9:17; 14:11; 106:3</p> <p><b>Wendy</b> 156:14, 15; 159:11, 14; 160:11, 17</p> <p><b>weren't</b> 62:7</p> <p><b>west</b> 14:15; 18:10; 46:1; 60:8; 112:18</p> <p><b>western</b> 21:22; 51:19; 56:17; 73:11; 128:13</p> <p><b>Weston</b> 36:9; 42:20; 73:6, 8, 11; 75:7, 14; 87:12; 97:7; 127:5, 13, 19; 128:14; 150:7, 9; 151:18</p> <p><b>wet</b> 146:12, 12</p> <p><b>wetlands</b> 11:7; 16:1; 21:13, 14, 18, 21; 73:2</p> <p><b>WG</b> 11:5</p> <p><b>what's</b> 8:1; 9:20; 121:14; 131:22</p> <p><b>Wheaton</b> 52:1, 2</p> <p><b>Whenever</b> 115:14; 128:9</p> <p><b>Where's</b> 84:19</p> <p><b>whereby</b> 3:6</p> <p><b>Whereupon</b> 161:19</p> <p><b>wherever</b> 74:9; 152:10</p> <p><b>who'd</b> 143:8</p> <p><b>whole</b> 5:22; 35:3, 7; 38:6; 42:2; 51:1; 75:21; 107:2, 4</p> <p><b>whomever's</b> 59:4</p> <p><b>whose</b> 75:11</p> <p><b>wide</b> 141:3</p> <p><b>width</b> 44:6</p> <p><b>wife</b> 29:4; 34:3; 105:9</p> <p><b>wilderness</b> 140:20; 141:5, 7; 145:20, 22</p> <p><b>wildlife</b> 47:4; 65:2; 67:7; 107:21; 126:6; 127:13, 20; 140:9, 12, 17</p> <p><b>willing</b> 76:5, 7; 149:21</p> <p><b>Wilson</b> 41:17, 18, 19; 44:21</p> <p><b>winter</b> 136:8</p> <p><b>wipe</b> 145:22</p> <p><b>wipes</b> 146:3</p> <p><b>wish</b> 55:11</p> <p><b>within</b> 4:13; 9:10; 23:12; 32:12; 77:20; 102:9; 145:6; 152:22; 156:1</p> <p><b>without</b> 31:18; 65:9; 67:5; 78:17, 19; 90:19; 136:11; 141:4, 8; 144:19; 146:9;</p>
---	---	---	---	--	---

11; 147:14; 159:7  
**woman** 115:14  
**wonder** 20:1  
**wonderfully** 129:14  
**word** 85:22  
**words** 20:5; 80:12; 84:8;  
133:3  
**work** 22:16; 37:17; 51:2;  
79:22; 80:8; 97:6; 106:7;  
149:6  
**worked** 127:9  
**workers** 133:10, 12, 15,  
19  
**working** 43:1; 50:17;  
70:13; 89:2; 92:1, 7; 129:3;  
135:18; 148:14; 157:1  
**world** 24:15; 59:2, 6;  
95:20, 22  
**worried** 35:7; 57:10  
**worry** 40:6; 83:6, 7;  
104:12; 142:17  
**worst** 115:9  
**wrecks** 90:18  
**Wright** 110:3, 5  
**write** 145:13  
**writing** 3:20; 6:11; 12:2;  
33:9; 45:17; 103:16, 21  
**written** 3:19; 6:4; 18:5;  
27:11; 28:6; 74:21; 85:11;  
99:13, 15; 103:12, 22;  
114:22; 120:19, 21;  
122:17; 157:15, 20;  
161:15  
**wrong** 95:13; 109:4  
**wrote** 28:8, 11; 110:6  
**Wyoming** 4:18; 10:12;  
12:16; 14:9, 14; 24:12;  
35:15; 39:16; 41:2, 4; 46:1;  
60:8; 62:14; 63:3, 4; 70:9,  
15; 71:12; 77:16; 79:6;  
86:12; 88:22; 89:22;  
90:13, 17; 91:18; 92:8;  
93:3, 17; 95:20; 96:1;  
110:4; 112:22; 113:1;  
119:22; 155:12  
**Wyoming's** 78:20

---

**X**

---

**XLIX** 7:7

---

**Y**

---

**yard** 112:14, 15; 113:1, 3  
**year** 13:4; 21:3, 5; 42:15;  
68:21; 96:14; 125:13;  
134:18; 136:6; 137:13  
**years** 7:17, 20, 22; 32:19;  
35:4, 6, 21; 42:6, 18; 43:5;  
46:2; 53:11; 58:3; 59:9;  
60:19; 71:2; 85:1; 93:7, 7;  
96:16; 127:15; 134:8;  
147:4; 157:16  
**yield** 9:19



## Lawyer's Notes

---